

**Recommendations on the Administration
and Use of Mayo's Landing**

**A Report Prepared for the
The Board of Trustees of
The Village of Croton-on-Hudson**

**By
The Croton River Watershed Compact Committee**

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1. Introduction

Mayo's Landing is a parcel of land owned by the Village of Croton-on-Hudson on Nordica Drive along the Croton River. The property currently has no specific designation, although we believe at least a portion of it is included in the Croton Point Park Critical Environmental Area designated by Westchester County in 1990.

Mayo's Landing is one of the few public access points to the Croton River within the Village and has been used for many years for river access for fishing, swimming, boating and similar recreational activities. Until recently, there had been relatively few problems caused by those using the river.

However, during the past several years, use of Mayo's Landing has increased dramatically with many of those using the parcel for Croton River access coming not only from outside of the Village, but from outside of the area. The large crowds visiting Mayo's Landing have overstressed the capacity of the site to accommodate them and have created a variety of significant problems for local residents including:

- Trespassing on private property
- Destruction of vegetation and consequent erosion of Mayo's Landing
- Vandalism
- Excessive alcohol consumption
- Loud noise
- Littering
- Open fires

Those responsible for these offenses have accessed the River not only from Mayo's Landing, but also from the New York State Unique Area along the Croton Aqueduct on the opposite side of the river. In response to public complaints about these activities:

- The Village of Croton, in concert with the Town of Cortlandt, has initiated a police patrol boat on the Croton River
- Parking has been restricted by the Village of Croton in the vicinity of Mayo's Landing and by the Town of Cortlandt along Quaker Bridge Road in the vicinity of the State Unique Area.

These actions, taken during the latter part of the summer of 2006, reduced the problems by a significant extent. However, in anticipation of similar problems arising during the summer of 2007, the Croton Village Board requested that the Croton River Watershed Compact Committee (CRWCC) prepare a set of recommendations for regulating the use of Mayo's Landing. That work has been completed and our recommendations are contained in this report.

In preparing this report we have benefited from some input from the interested public. However, before a final plan is adopted by the Village Board, we believe that further public input, through a public meeting, is highly desirable.

In the sections which follow, we first state the objectives of our efforts. This is followed by a summary of our principal recommendations. The balance of the report contains a more detailed discussion of the principal issues we examined.

2. Objectives

The primary objective of these recommendations is to establish a balance between responsible recreational use of Mayo's Landing and the Croton River and the protection and preservation of the land. Establishing such a reasonable balance, taking account of the needs and desires of all concerned, will not be an easy process. Nonetheless, we believe that we have come up with a series of recommendations which provide guidance toward meeting the stated objectives in a manner which will be generally acceptable to the community.

To achieve these objectives, it is necessary to limit access to the river via Mayo's Landing (and other access points) and to place restrictions on the activities that can take place on the Village's property. Because of the problems caused by the large crowds visiting the Croton River in recent years, we feel that it is necessary to initially impose fairly stringent restrictions on the use of Mayo's Landing, some of which will almost certainly be controversial. However, if the recent problems can be eliminated, or substantially reduced, over the next year or two, the restrictions we have recommended can be eased, as long as those using the river continue to act responsibly.

Another objective is to implement the recommended program with as small an expenditure of Village funds as possible, consistent with achieving its principal goals. In this regard, we are aware that there are a number of grant programs administered by Federal, State and County agencies that are potential sources of funds to implement our recommendations. Clearly, such funding should be maximized.

3. Summary of Recommendations

The principal recommendations of the CRWCC may be summarized as follows:

- Designate Mayo's Landing as a Village of Croton Conservation Area. This designation will include such restrictions as:
 - No removal or destruction of vegetation
 - No alcoholic beverages
 - No fires
 - No littering or graffiti
 - No radios or other excessive noise

- Property closed at sunset
- Post appropriate signage indicating these restrictions on the property. Appropriate penalties should be established for those violating the regulations. Signs should also indicate that the area is patrolled by the Croton Police Department. All signage should be selected and installed with minimum visual impact on the property.
- Post signs indicating that no lifeguards are assigned to the property and that swimming is at the swimmer's risk. Other potential liability questions should be researched by the Village Attorney and additional actions taken as indicated.
- Maintain the Croton Police Department River Boat Patrol during the summer months with funding at the same level as in 2006.
- Limit access to the Mayo's Landing Conservation Area to Croton Village residents with Recreation Department ID cards and anglers with valid New York State fishing licenses. Alternatively, establish an appropriate carrying capacity for the site and limit access when this limit has been reached. Enforcement to be by random checks by the Croton Police Boat Patrol and the Village Park Ranger.
- To prevent further erosion of the steep slope at Mayo's Landing, a professionally prepared and supervised planting plan with appropriate native vegetation should be instituted. We appreciate that such plantings will be subject to browsing by white tail deer as almost the entire understory in the Croton Gorge area has been destroyed by their browsing.
- Plantings should be selected for shade tolerance and to be unattractive to deer. Such plantings might include:
 - Groundcovers such as Allegheny Pachysandra or Partridgeberry
 - Larger plants such as ferns, wild geranium or Solomon's plume
 - Larger shrubs such as Maple Leaf Viburnum, Red Chokeberry or American Highbush Cranberry
- Because the cost of replanting the entire site will be significant, we recommend that, unless funds are available from grants or other outside sources, it be undertaken in phases over the next few years. The area planted each year should be closed to the public for that season to permit the plants to establish themselves.
- Remediate the severe erosion damage done by the outflow of the storm water pipe at the north end of the property. Reconstruct the drainage system to preclude future damage to the site.
- It would be desirable to establish a simple path down the hill to the river, preferably beginning near the pump house at the south end of the site. However, any such improvement could trigger additional obligations on the Village under the Americans with Disabilities Act (ADA). These could include installation of a wheelchair ramp

down the hill which would not only be expensive, but would have a major negative impact on the property. Application of the ADA in such circumstances should be researched by the Village Attorney.

- To screen the access to Mayo's Landing, install a cedar rail fence along Nordica Drive. Property lines perpendicular to the river should be unobtrusively marked to discourage trespassing by visitors on the adjacent private property.
- Ideally, parking along Nordica Drive, where allowed, would be by permit only between 4 PM and 9 PM weekdays and all day on weekends and holidays from Memorial Day through the end of September. Free permits would be provided to all residents and guest permits would also be provided to such residents. Additional permits may be issued at the discretion of the Village Manager. However, such a permit program will require approval by the New York State legislature. Consequently, contact should be made with local state representatives to encourage them to obtain such approval.
- If the permit program is approved, and to facilitate access for Village residents, four unregulated parking spaces should be established at the entrance to Mayo's Landing as is common practice for other access sites such as village trails and the Arboretum.
- To relieve some of the pressure on the river at Mayo's Landing by resident families, establish reduced fee schedules at Silver Lake through a scholarship type program (using Westchester County data) for less affluent Crotonites. Also consider opening Black Rock to swimming. Encourage Westchester County to provide similar reduced fees for Croton and Ossining residents at the Croton Point beach.
- Install a trash can at the bottom of the hill along the river. Arrange for a local organization, e.g., Boy and/or Girl Scouts, to replace trash bags, bring trash up to Nordica Drive in time for each week's Village trash collection and to collect litter at the site. Add a second trash can at the top of the hill during the summer.
- Identify and apply for any Federal, State and County grants which can aid in funding the recommended actions.

4. Designation of the Property

At the present time, Mayo's Landing does not have a specific designation, although we believe that at least a portion of it is included in the Croton Point Park Critical Environmental Area (CEA) designated by Westchester County in 1990.

To provide for its preservation and control, it is desirable for the Village to assign an appropriate designation to the property. This will permit the Village to impose certain reasonable restrictions on its use and increase the probability of obtaining grant monies for future improvement projects. These regulations, focusing on specific uses of the site, will be in addition to the regulations of

the CEA which are more oriented to development issues. Such Village designation may be in the form of a conservation easement held by the Village, to preserve the natural features of the area and preclude sale of the property in future years. The action taken should provide maximum control by the Village with the minimum obligations in cost and manpower.

If the Village establishes such a designation, the Village is empowered to define what that designation means and what restrictions are to be placed on land so designated. The only exception is that if the area is designated as a Park, that designation can only be modified by the New York State Legislature, thereby diminishing the Village's control.

Consequently, we believe that Mayo's Landing should be formally designated as a Village of Croton Conservation Area. The designation will specify that the property will be maintained in its natural state (once restoration is completed – see Section 6, below) and restrictions on its use will include, but need not be limited to:

- No removal or destruction of vegetation
- No alcoholic beverages
- No fires
- No littering or graffiti
- No radios or other excessive noise
- Property closed at sunset

These restrictions should be enforced by the Croton Police Boat Patrol and fines or other penalties should be established for violators.

Designation as a Park or Recreation Area, even if the Village is able establish the rules for its use, will, by its very name, encourage more people to visit the property, adding to the problems and exerting additional environmental stress on the river, Mayo's Landing and the adjacent private properties.

Appropriate signage (per NYS Hudson River Estuary suggested signage) should be installed to promulgate these restrictions. The signs should also indicate that the area is patrolled by the Croton Police Department. All signage should be designed and installed to have the minimum visual impact on the site. The River Boat Patrol initiated in 2006 should be maintained and funded at the same level as in 2006.

Questions of the Village's liability for those using the site should be researched by the Village Attorney and limited to the extent possible. Signs should be posted specifying that no lifeguards are assigned to the property and that swimming is totally at the swimmers' risk.

5. Access to Mayo's Landing

Under ideal conditions, it would be desirable to permit access to the river through Mayo's Landing to all. However, in light of the severe problems experienced during the summer of

2006, we believe that access should be restricted, at least for the next year or two, or until the problems subside.

Since many of those using Mayo's Landing are from out of town, and even from outside the area, such restrictions will reduce the numbers using Mayo's Landing and prevent its being overstressed. This is especially important since the parking restrictions and aggressive enforcement implemented by the Town of Cortlandt on the roads on the east side of the river could result in a greater number of people seeking river access via Mayo's Landing. We have devised two alternatives for control of access to Mayo's Landing.

In the first instance, we recommend that access to Mayo's Landing be restricted to Village of Croton residents with valid Recreation Department ID cards and their guests, as is currently the rule at Silver Lake and Senasqua. Consideration should also be given to allowing access to those with a valid New York State fishing license.

Some will argue that it is unfair to keep anyone out of what is a unique recreational area, but the river and the properties along its banks simply cannot handle crowds of the size that were present last year without incurring significant degradation.

There have been complaints from some in the Village that it is inconvenient to obtain these ID cards. However, as long as the Recreation Department continues to schedule evening and weekend hours for issuing the cards, we feel these complaints are unfounded. Spending 15 or 20 minutes to obtain a card every three years is not a significant inconvenience.

Ideally, the Village would assign a Recreation Department employee to control access to Mayo's Landing during the summer. However, we appreciate that this is probably economically prohibitive. Therefore, enforcement of ID requirements can be performed on a random check basis by both the Police River Boat Patrol and the Village Park Ranger who can make periodic unscheduled visits to the property.

Alternatively, site access can be limited by establishing a reasonable carrying capacity for the property and prohibiting further access once this limit is reached. As in the first alternative, enforcement would be on a random basis by the Police and/or Park Ranger, but property owners in the vicinity of Mayo's Landing can act as informal monitors, notifying authorities if the capacity appears to be exceeded.

We appreciate that any such access restrictions will be controversial. However, unless use of Mayo's Landing is reduced, last year's problems will continue and the destruction of natural areas will go on, seriously jeopardizing the future of the property and the river. If conditions improve, the restrictions can be reduced and, eventually, eliminated.

We understand that under Federal and State law, the public has certain rights of access to fish from public property and to access the Croton River for boating. Consequently, none of the foregoing recommendations should be considered to limit the right of the public to access the Croton River as "navigable in fact" per Federal Law nor in any manner limit the authority of the U.S. Army Corps of Engineers or the U.S. Coast Guard to enforce local regulations.

6. Restoration of the Property

The heavy traffic on Mayo's Lading has denuded a large portion of the hill of vegetation and resulted in significant erosion of the slope. This has been compounded by the browsing of white tailed deer who have essentially destroyed the forest understory of the entire 3½ mile length of the Croton Gorge. To prevent further deterioration of the property, it is necessary to replant the affected portions of the slope and to attempt to channel access along a specified path.

The principal criteria for selection of plants are that they be native to the area to prevent their spreading off the property, that they be shade tolerant, hardy and not attractive to deer. The property is large and it will be costly to replant it. Therefore, care should be taken to ensure, to the extent possible, that the selected plants will thrive and will not be eaten by the deer, necessitating continuous replanting. It is possible, that there will not be any plants that will meet all of these criteria.

Demetra Tseckares of Gardens by Demetra, a Croton landscaping business, has done some preliminary research on this question for the CRWCC and has provided us with some recommendations for appropriate plantings.

Recommended plants in various categories include:

- Ground covers
 - Pachysandra Procumbens, aka, Allegheny Pachysandra.
 - Mitchellia repens, aka, Partridgeberry
- Larger plants
 - Any of a wide variety of ferns
 - Geranium maculatum, aka, wild geranium
 - Maianthemum racemosum, aka, Solomon's plume
- Shrubs
 - Maple Leaf Viburnum or Dockmackie. Can handle shade; grows 3'-6' tall with an equal spread. Beautiful shrub with white flowers and seasonal interest.
 - Red Chokeberry or Aronia arbutifolia or Photinia pyrifolia. Grows 5'-10' tall and can handle shade.
 - American Highbush Cranberry or Viburnum trilobum

Use of the larger shrubs will not only revegetate the hill, but their size will discourage people from walking on the areas in which they are planted. Smaller plants can be interspersed among the shrubs.

Clearly, replanting will require an investment by the Village, unless we can find a donor or obtain a County or State grant. To help ensure that this effort will not have to be repeated in future years, the planning and supervision of the physical planting will best be accomplished by a professional landscaping firm of the Village's choosing. The overall cost to the Village can be reduced by arranging for a group of volunteers, from either organizations or ad hoc, to undertake the work under professional supervision.

Should the budget for the replanting be too large for completion in a single year, the planting can be phased over a few years, a portion of the site being planted in each instance. That portion can be closed to access during the following summer season and reopened the following year once the plants have established themselves. The leaf litter currently covering most of the property should not be disturbed in any area until that area is actually replanted. This will limit further erosion.

As part of the restoration, it would be desirable to establish a path down the hill to encourage those using it to stay off the other parts of the property, reducing erosion and other damage to the site. A simple railing, e.g., a large diameter rope threaded through a series of posts will ease the descent. The best location for such a path is at the south end of the property near the pump house.

However, it is our understanding that if any type of “improvement” is made to the property, the Village could be subject to provisions of the Americans with Disabilities Act (ADA) and some form of wheelchair ramp might have to be installed and, perhaps, other actions taken. If this is so, there would not only be a significant additional cost to the Village, but major disruption would be caused to the hill by installing a switchback-type ramp, the only appropriate wheelchair access for this steep slope. The question of what constitutes an “improvement” and the application of the ADA should be researched by the Village Attorney before a final decision is made on the path.

Alternatively, a portion of the hill can remain unplanted, creating a de facto path without placing additional requirements on the Village. This question should also be properly researched before proceeding.

An alternative proposal has also been made for restoration of Mayo’s Landing. Under this program, after replanting the entire property, a one year “time out” would be established during which Mayo’s Landing will be closed to the public. This will, of course, necessitate installing a fence around the entire property to restrict access.

The purpose of the “time out” is to permit the newly planted vegetation to establish itself before it is subject to impact by visitors to the site. It could have the ancillary benefit of creating a summer during which no one uses Mayo’s Landing and, over that period, its appeal may diminish leading to much smaller crowds in succeeding years.

While, in concept, this plan has some merit, we believe that it is impractical in practice for the following reasons:

- Closing the site is inconsistent with the Village’s Local Waterfront Revitalization Plan which encourages access to and use of the waters in and around the village.
- It will require replanting the entire site at one time with the attendant costs, which may prove significant, rather than the phased program described above.
- Closing the site will necessitate 360° fencing, and its attendant costs, to prevent access from adjacent properties and from the river itself.

- If the site is completely closed, it is likely that visitors will use nearby private properties for river access, exacerbating the trespassing, vandalism, etc. which has occurred in recent years.

In addition to the loss of vegetation, there is a storm drain pipe at the north end of the property which discharges down the slope to the river. Portions of the pipe were broken off some time ago, and the discharge is now just beyond the edge of Nordica Drive and it runs down the entire slope. This discharge, combined with additional storm runoff directly from the roadway, has carved a deep gully into the slope, and may even have impacted on the adjacent private property. It also discharges a significant volume of silt into the river, affecting water quality in that area. In past years, the roadbed itself had been undercut by the flow, necessitating repair by the Village.

Not only does the gully require remediation, but the drainage system should be repaired or rebuilt so that the storm runoff is piped down the entire slope and discharged directly into the river so that erosion, and the resulting silting, do not recur.

7. Screening the Mayo's Landing Access Point

Most, if not all Croton residents are aware of the location of Mayo's Landing. However, during the past few summers, a number of those living on Nordica Drive have encountered individuals or groups, obviously from out of town, asking "Where is Mayo's Landing?"

Since neither of the access limitation programs discussed in Section 5 will likely be 100% effective, we believe it will be beneficial to make the access point as unobtrusive as possible. This can be accomplished, in part, by installing a cedar rail fence along Nordica Drive across the entire parcel except at the entrance to the path. This will give the appearance of a private property further discouraging access. No signs identifying Mayo's Landing should be installed at the access point.

We also considered planting a row of dense evergreen trees or shrubs behind the fence to further screen the view of the site from the road, but dismissed this idea since it will prevent observation of the site from the street by the authorities and, conversely, encourage undesirable behavior by visitors since they will believe that they are unobserved.

Since the boundaries of the Village's property are not obvious to visitors at the present time, there have been occasions of inadvertent trespassing on adjacent private property. To reduce, or eliminate, such incidents, the site boundaries perpendicular to the river should be marked in an unobtrusive manner.

8. Parking

Control of parking in the vicinity of Mayo's Landing was the most difficult issue faced by the Committee and one for which there is no ideal solution. In past years, parking was prohibited on both sides of Nordica Drive in that area. This resulted in problems for the residents of the street who did not have adequate off-street parking and even more so with respect to visitors to those residents, contractors doing work in the area, delivery vehicles, etc. Subsequently, the parking restrictions were relaxed and today, parking is prohibited only on the street directly opposite Mayo's Landing.

During the summer of 2006, large numbers of cars were parked all along Nordica Drive except in the specifically designated No Parking zone. On some occasions, cars were parked well beyond the intersection of Nordica Drive and Cedar Lane. This added to the noise and litter on the street and interfered with residents parking as well as the passage of through and emergency vehicles.

Thus, we recommend that a Permit Parking Zone be established on Nordica Drive, perhaps extending up Cedar Lane as well. Parking would be by permit only, for example, from Memorial Day through the end of September, from 4 PM to 9 PM weekdays and all day on weekends and holidays. These were the hours of maximum use, as people tended to visit the site after work on weekdays.

Free permanent permits would be issued to all affected residents and each homeowner in the zone would be issued a number of temporary permits, at no charge, for guests, contractors, etc. Permits can be made available to other Village residents upon application to the Village Manager.

Unfortunately, since Nordica Drive is a public thoroughfare, we are advised that such a permit system may be considered discriminatory under the law and can only be implemented with the approval of the New York State legislature. In light of the importance of limiting parking to the preservation of Mayo's Landing and the river, we believe that the Village should contact Senator Leibell and Assemblywoman Galef and encourage them to initiate the appropriate legislation in Albany.

If the permit system is approved, it would be impractical and unfair to totally eliminate parking for Village residents living outside of the Mayo's Landing neighborhood. Therefore, we recommend that four unrestricted parking spaces be established directly along Mayo's Landing and appropriately marked. To limit additional parking, large boulders can be placed in the no parking zone along the edge of the property.

There is no question that this proposal will generate controversy. It could also result in all of those vehicles unable to park on Nordica Drive moving up to Truesdale Drive, creating similar problems there. However, banning all street parking in the area is not practical and a permit system appears to be a reasonable compromise even if it does not satisfy everyone.

9. Other Issues

9.1 Silver Lake Fees

Some of those who frequent Mayo's Landing for swimming, picnicking, etc. are Croton residents, many with families. They come to Mayo's Landing because they cannot afford the fees for the use of Silver Lake.

To relieve the pressure on that area, consideration can be given to a revised Silver Lake fee schedule. Reduced rates, using a scholarship type program, can be made available to low income residents who might prefer the protected beach to Mayo's Landing. Westchester County maintains a data base which can help in identifying those who qualify. This increased use of Silver Lake should not result in any significant increase in the costs of operation and the reduced fees will add to the park's revenue.

We should also note that there are a number of Village residents who might be able to afford the Silver Lake fees, but choose to swim at Mayo's Landing because they feel the fees are too high in light of the high Village tax rates. Some feel there should be no fees at all.

Visits to Mayo's Landing can be further reduced if Black Rock is opened to swimming. This can also be done on a swimmers' risk basis, obviating the need for lifeguards at the site.

Pressure on Mayo's Landing can be further reduced if Westchester County can be persuaded to offer reduced fees at the Croton Point beach to Croton and Ossining residents.

9.2 Littering

The littering which occurs at Mayo's Landing can be reduced if a trash can is installed at the bottom of the hill. Arrangements can be made with one or more Village organizations, e.g., Girl or Boy Scouts, to change the trash bags, collect the trash from the can and bring it up to street level in time for the weekly Village trash pickup. These same groups can also remove any litter from the site. It is a well established fact that, if an area is clean, those visiting it are much less likely to litter than if there is already litter present.

During the summer months, the trash can at the top of the hill is often filled to overflowing. At least during those periods, a second trash receptacle can be installed on Nordica Drive. This will not place a significant additional burden on the Village work force.

9.3 Paradise Island

The Village is currently in negotiations with Westchester County to obtain management rights for County-owned Paradise Island. Once the negotiations are completed, Paradise Island should be included along with Mayo's Landing in the Conservation Area. At that time, any additional regulations unique to the island can be considered. The question of establishing designated campsites on the island can also be explored.

10. Grants

A number of the recommendations in this report will require the expenditure of funds by the Village. To minimize the need for direct payments from the Village treasury, grants can be sought to offset some of these costs.

Some additional research will be necessary to identify all of the applicable Federal, State and County programs, but we are aware of grant programs that could fund such items as:

- Storm water remediation
- Improvements for public access
- Planting of the slope
- Acquisition of signage

Every effort should be made to identify programs which can support this effort and application should be made for all grants which could provide funding for it.