

# Village of Croton-on-Hudson

## COASTAL ASSESSMENT FORM

### A. INSTRUCTIONS (Please print or type all answers)

1. *Applicants, or in the case of direct actions (city, town, village) agencies, shall complete this CAF for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by a (city, town, village) agency in making a determination of consistency.*
2. *Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the (city, town, village) clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.*
3. *If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.*

### B. DESCRIPTION OF SITE AND PROPOSED ACTION:

1. Type of (city, town, village) agency action (check appropriate response):
  - a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction)     x
  - b) Financial assistance (e.g. grant, loan, subsidy) \_\_\_\_\_
  - c) Permit, approval, license, certification \_\_\_\_\_
  - d) Agency undertaking action \_\_\_\_\_
2. Describe nature and extent of action: See attached addendum.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Location of actions: See attached addendum.  
(street or site description) \_\_\_\_\_
4. Size of site: See attached addendum. \_\_\_\_\_
5. Present land use: Residential, commercial, light industrial, open space, transportation-related
6. Present zoning classification: Range of zones supporting above land uses

7. List and describe any unique or unusual land forms within or contiguous to the project site (i.e. bluffs, dunes, swales, ground depressions, other geological formations):  
Portions of the Village contain steep slopes with views of the Hudson River.

8. Percent of site which contains slopes of 15% or greater: N/A

9. List and describe streams, lakes, ponds or wetlands existing within or contiguous to the project area. Give name and size of each if available:

a) Name: Hudson River, various small water bodies, brooks and wetlands

b) Size (in acres): N/A

10. If an application for the proposed action has been filed with the (city, town, village) agency, the following information shall be provided:

a) Name of applicant: N/A

b) Mailing address: \_\_\_\_\_

c) Telephone number: (area code) (\_\_\_\_\_) \_\_\_\_\_

d) Application number, if any: \_\_\_\_\_

11. Will the action be directly undertaken, require funding or approval by a state or federal agency? NO \_\_\_\_\_ YES X

NY Department of State,

If yes, which state or federal agency? U.S. Office of Ocean & Coastal Resource Management

### C. COASTAL ASSESSMENT:

(Check either "yes" or "no" for each of the following questions)

	<u>YES</u>	<u>NO</u>
1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map:	<u>X</u>	_____
a) Significant fish or wildlife habitats?	<u>X</u>	_____ Croton Bay, Haverstraw Bay
b) Scenic resources of local or statewide significance?	<u>X</u>	_____ Croton Point, Hudson Highlands SASS
c) Important agricultural lands?	_____	<u>X</u>
d) Natural protective features in an erosion hazard area?	<u>X</u>	_____ Croton Point

If the answer to any question above is "yes", please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

	<u>YES</u>	<u>NO</u>	
2. Will the proposed action have a significant effect upon:			
a) Commercial or recreational use of fish and wildlife resources?	<u>          </u>	<u>  X  </u>	
b) Scenic quality of the coastal environment?	<u>          </u>	<u>  X  </u>	
c) Development of future or existing water dependent uses?	<u>          </u>	<u>  X  </u>	
d) Operation of the State's major ports?	<u>          </u>	<u>  X  </u>	
e) Land or water uses within a small harbor area?	<u>          </u>	<u>  X  </u>	
f) Stability of the shoreline?	<u>          </u>	<u>  X  </u>	
g) Surface or groundwater quality?	<u>  X  </u>	<u>  X  </u>	
h) Existing or potential public recreation opportunities?	<u>  X  </u>	<u>          </u>	
i) Structures, sites or districts of historic, archeological or cultural significance to the (city, town, village), State or nation?	<u>          </u>	<u>  X  </u>	
			The LWRP Update includes projects to improve water quality in Croton Bay.
			The LWRP Update proposes improvements to several Village parks and a Village-wide parks maintenance and improvement plan.
3. Will the proposed action involve or result in any of the following:			
a) Physical alteration of land along the shoreline, land under water or coastal waters?	<u>          </u>	<u>  X  </u>	
b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?	<u>          </u>	<u>  X  </u>	
c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?	<u>          </u>	<u>  X  </u>	
d) Energy facility not subject to Article VII or VIII of the Public Service Law?	<u>          </u>	<u>  X  </u>	
e) Mining, excavation, filling or dredging in coastal waters?	<u>          </u>	<u>  X  </u>	
f) Reduction of existing or potential public access to or along the shore?	<u>          </u>	<u>  X  </u>	
g) Sale or change in use of publicly-owned lands located on shoreline or under water?	<u>          </u>	<u>  X  </u>	
h) Development within a designated flood or erosion hazard area?	<u>          </u>	<u>  X  </u>	
i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	<u>          </u>	<u>  X  </u>	
j) Construction or reconstruction of erosion protective structures?	<u>          </u>	<u>  X  </u>	
k) Diminished surface or groundwater quality?	<u>          </u>	<u>  X  </u>	
l) Removal of ground cover from the site?	<u>          </u>	<u>  X  </u>	

Note: This section is designed for site-specific actions rather than area-wide or generic proposals. The answers to the questions reflect the fact the LWRP Update would apply to all actions within the Village's coastal area, and that the Update proposes several implementation projects. These projects, if undertaken, would be subject to individual consistency review.

#### 4. Project

##### a) If project is to be located adjacent to shore:

	<u>YES</u>	<u>NO</u>
1. Will water-related recreation be provided?	<u>X</u>	<u>      </u>
2. Will public access to the foreshore be provided?	<u>X</u>	<u>      </u>
3. Does the project require a waterfront site?	<u>X</u>	<u>      </u>
4. Does it supplant a recreational or maritime use?	<u>      </u>	<u>X</u>
5. Do essential public services and facilities presently exist at or near the site?	<u>X</u>	<u>      </u>
6. Is it located in a flood prone area?	<u>X</u>	<u>      </u>
7. Is it located in an area of high erosion?	<u>      </u>	<u>X</u>

##### b) If the project site is publicly owned:

1. Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	<u>X</u>	<u>      </u>
2. If located in the foreshore, will access to those and adjacent lands be provided?	<u>X</u>	<u>      </u>
3. Will it involve the siting and construction of major energy facilities?	<u>      </u>	<u>X</u>
4. Will it involve the discharge of effluent from major steam electric generating and industrial facilities into coastal facilities?	<u>      </u>	<u>X</u>

c) Is the project site presently used by the community neighborhood an open space or recreation area?	<u>X</u>	<u>      </u>
d) Does the present site offer or include scenic views or vistas known to be important to the community?	<u>X</u>	<u>      </u>
e) Is the project site presently used for commercial fishing or fish processing?	<u>      </u>	<u>X</u>
f) Will the surface area of any waterways or wetland area be increased or decreased by the proposals?	<u>      </u>	<u>X</u>
g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?	<u>      </u>	<u>X</u>
h) Will the project involve any waste discharges into coastal waters?	<u>      </u>	<u>X</u>
i) Does the project involve surface or subsurface liquid waste disposal?	<u>      </u>	<u>X</u>
j) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	<u>      </u>	<u>X</u>

	<u>YES</u>	<u>NO</u>
k) Does the project involve shipment or storage of petroleum products?	<u>          </u>	<u>    x    </u>
l) Does the project involve discharge of toxic hazardous substances or other pollutants into coastal waters?	<u>          </u>	<u>    x    </u>
m) Does the project involve or change existing ice management practices?	<u>          </u>	<u>    x    </u>
n) Will the project affect any area designated as a tidal or freshwater wetland?	<u>    x    </u>	<u>          </u>
o) Will the project alter drainage flow, patterns or surface water runoff on or from the site?	<u>    x    </u>	<u>          </u>
p) Will best management practices be utilized to control storm water runoff into coastal waters?	<u>    x    </u>	<u>          </u>
q) Will the project utilize or affect the quality or quantity of sole source or surface water supplies?	<u>          </u>	<u>    x    </u>
r) Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates?	<u>          </u>	<u>    x    </u>

**D. REMARKS OR ADDITIONAL INFORMATION.**

For questions answered “yes” in Section C, explain methods you will undertake to reduce adverse effects. Review the LWRP to see if the project is consistent with each policy. List policies the project is not consistent with and explain all mitigating actions.

(Add any additional sheets necessary to complete this form)

See attached addendum.

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## E. SUBMISSION REQUIREMENTS.

The final version of this form shall be sent to the Department of State (*New York State Dept. of State, Coastal Management Program, 162 Washington Avenue, Albany, NY 12231*) if any question in Section C is answered “yes” and either of the following conditions is met.

- Section B.1 (a) or B.1 (b) is checked    **OR**
- Section B.1 (c) and B.11 is answered “yes”

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If assistance or further information is needed to complete this form, please contact the Village Engineer at (914) 271-4783.

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Date: July 31, 2015

# **Croton-on-Hudson Local Waterfront Revitalization Program Update**

## **VILLAGE OF CROTON-ON-HUDSON, NEW YORK**

### **COASTAL ASSESSMENT FORM ADDENDUM**

#### **Lead Agency**

Village of Croton-on-Hudson Board of Trustees  
Stanley H. Kellerhouse Municipal Building  
1 Van Wyck Street  
Croton-on-Hudson, NY 10520  
Contact: Leo A. W. Wiegman, Mayor  
(914)-271-4848

#### **Prepared by**

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Contact: Susan Favate, AICP, Principal  
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## **1.0 LOCATION AND DESCRIPTION OF PROPOSED ACTION**

Pursuant to the New York State Environmental Quality Review Act (SEQR), the proposed action discussed in this Full Environmental Assessment Form (EAF) is the adoption of an update to the 1992 Local Waterfront Revitalization Program (LWRP) of the Village of Croton-on-Hudson. In considering adoption of the LWRP Update, the Village of Croton-on-Hudson Board of Trustees (BOT) are proposing to modify certain existing policies to reflect changed conditions and priorities since the 1992 LWRP, and to propose specific projects to implement those policies.

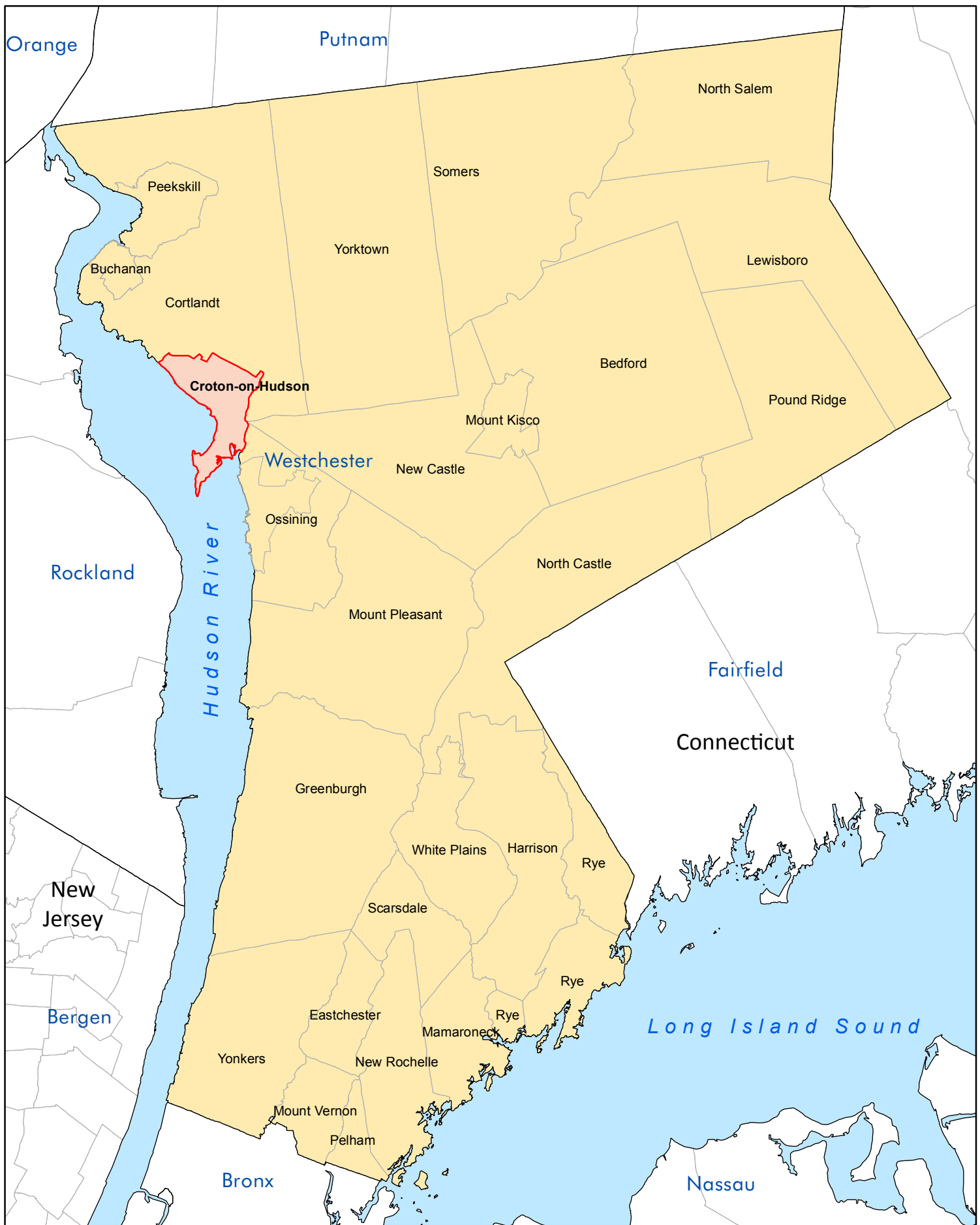
### **1.1 Project Location**

Croton-on-Hudson is located on the eastern side of the Hudson River, in the northwest corner of Westchester County. Incorporated in 1898, the village lies within the Town of Cortlandt, which also includes the Village of Buchanan. Surrounding municipalities are the Town of Cortlandt to the north and east, the Town of New Castle to the east and the Town and Village of Ossining to the south (see Figure 1: Regional Location Map).

### **1.2 Project Description**

As the New York State Department of State (NYS DOS) describes, a Local Waterfront Revitalization Program (LWRP) is “both a land and water use plan prepared by a community, as well as the strategy to implement the plan.” An approved LWRP reflects community consensus and provides a clear direction for appropriate future development. In addition, State permitting, funding and direct actions must be consistent, to the maximum extent practicable, with an approved LWRP. Within the Federally defined coastal area, Federal agency activities are also required to be consistent with an approved LWRP.

The Croton-on-Hudson’s original LWRP was adopted in 1992. A key focus of the original LWRP was to create significant public recreational resources along the Hudson and Croton Rivers and Croton Bay. All of the open space resources recommended in the LWRP were created, including the Croton River Gorge Trail, Croton Landing Park and Echo Canoe Launch. Other recommended projects in the original LWRP were also completed, including stormwater management improvements and a 2003 update of the Village’s 1977 Master Plan.



CROTON-ON-HUDSON, NY

FIGURE 1: REGIONAL LOCATION MAP



The Village's Coastal Zone boundaries are the same as the municipal boundaries, because the LWRP "considers the entire Village of Croton to have a direct and significant relationship with both the Croton and Hudson Rivers...the topography of the Village is such that inland areas contain primary viewsheds of the Rivers and waterfront and provide an important visual identify of the Village with the River."

Because all of the Village lies within the Coastal Zone, the statewide and local land-use policies set forth in the LWRP apply to the entire Village. Any Type 1 or Unlisted action under the State Environmental Quality Review Act (SEQRA) is required to be reviewed by the lead agency for consistency with these policies and with the projects contained within the LWRP. The lead agency's determination of consistency is made with the benefit of an advisory recommendation of consistency from the Village's Waterfront Advisory Committee (WAC).

The Board of Trustees (BOT), through the adoption of the proposed action, seeks to update the 1992 LWRP as needed to reflect the fact that most goals of the existing LWRP have been met, that changes in the regulatory environment should be addressed and that an update of community policies and projects is needed.

#### ***Updated LWRP Inventory and Analysis***

The proposed LWRP Update includes a complete update of Section II of the document, the inventory and analysis. This section describes existing conditions for a range of topics, including:

- Land use and zoning
- Land features
- Water resources
- Natural resources and habitats
- Scenic resources and important vistas
- Infrastructure

#### ***Proposed LWRP Policies***

The LWRP Advisory Committee tasked with guiding the development of the LWRP Update conducted a thorough review of the policies contained in the original LWRP. Changes to local policies were proposed to reflect current conditions and priorities, as well as streamline and clarify the intent of the policies. The proposed LWRP policies are as follows:

#### **DEVELOPMENT POLICIES**

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

Policy 1A: Existing planning and zoning documents should be periodically reviewed and amended, where necessary, to ensure development within the community is consistent with adopted goals and policies.

Policy 1B: Redevelop and revitalize Village-owned land at the Metro-North train station, including the Village garage and bay area. Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro-North train station, while facilitating public access to the bay area and recreational use.

Policy 1C: Every effort should be made by the Village to encourage the governmental agencies involved in the maintenance of the Croton Landfill and Metro-North properties to continue to monitor and maintain these sites.

Policy 1D: Encourage restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.

Policy 1E: Encourage the appropriate re-use of the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.

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

Policy 2A: Expand restrictions on the use of power boats on the Hudson River and Croton River and Bay by further enforcing the parameters that regulate boat traffic such as speed, turbidity, safety, and mooring and sludge disposal. Such controls will further increase the compatibility of power boat use with other forms of recreation use within the Coastal Zone Area.

Policy 2B: Encourage water-enhanced commercial uses where such uses complement water-dependent uses and do not result in displacement of such uses.

Policy 3: Encourage the development of the State's existing 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 waterborne transportation of cargo and people. ***(This State policy is not applicable to Croton.)***

Policy 4: Strengthen the 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 activity. ***(This State policy is not applicable to Croton.)***

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 necessitate its location in other coastal areas.

Policy 5A: When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.

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

Policy 6A: To expedite permit procedures, the Village shall coordinate all relevant local laws as information for applicants and/or make all local laws available to applicants proposing development activities.

## **FISH AND WILDLIFE POLICIES**

Policy 7: Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

Policy 7A: The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.

Policy 7B: Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.

Policy 7C: Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat or Haverstraw Bay significant fish and wildlife habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.

Policy 7D: Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats and shorelands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.

Policy 7E: Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact to the significant fish and wildlife habitats.

Policy 7F: Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity in the Croton River and Hudson River spawning areas shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.

Policy 7G: Such activities must not cause significant degradation of water quality or impact identified significant fish and wildlife habitats.

Policy 7H: Habitat-related policies identified in the Indian Brook-Croton Gorge Watershed Conservation Action Plan should be considered in actions proposed for these areas.

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 sub-lethal or lethal effect on those resources.

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.

Policy 9A: Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the railroad parking lot, at Croton Point Park, at Senasqua and Croton Landing Parks, along the Croton River, and at the Croton yacht club. Efforts should be made to increase opportunities for public access and enjoyment in these areas.

Policy 9B: Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society sanctuaries, Jane Lytle Arboretum, and on other public or private lands within the Village where wildlife habitats are located, as well as the protection of such resources.

Policy 10: Further develop commercial finfish, shellfish and crustacean resources in the coastal area by (1) encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, (2) increasing marketing of the State's seafood products, and (3) maintaining adequate stocks and expanding aquaculture facilities. 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. ***(This State policy is not applicable to Croton.)***

#### **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.

Policy 11A: Erosion and sediment control measures shall be consistent with applicable Village laws.

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.

Policy 12A: Every effort should be made to protect Croton Point, a natural protective barrier to Croton bay from activities or development that would increase erosion of or flooding of the point.

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 30 years

as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

Policy 13A: Any bulkheads along the Hudson must be maintained in good condition and public and private landowners should be required to restore and maintain erosion control mechanisms along their river frontage which are designed for long-term stability.

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.

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.

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.

Policy 16A: Public funds shall be appropriated for the maintenance of public parks, trails, walkways and public access points.

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.

Policy 17A: Efforts to control erosion along the rivers and on the steep slopes inland shall be of a non-structural nature, wherever possible, to minimize the visual impact of structural measures.

## **GENERAL POLICY**

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

## **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 will be given to public beaches, boating facilities, fishing areas and waterfront parks.

Policy 19A: Encourage the linkage of open space from upland areas to and along the Hudson and Croton Rivers in the form of a trail or walkway system.

Policy 19B: Increase public access to areas that offer physical and visual connection to the Hudson River or Croton River and Bay.

Policy 19C: Encourage the improvement of public transportation, when feasible, where water-dependent and water-enhanced recreation activities are located.

Policy 19D: Improve and maintain access to Croton River and Bay at the Village-owned Echo Canoe Launch south of the Village parking lots at the Croton-Harmon Station.

Policy 20: Access to 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.

Policy 20A: Maintain access to the publicly owned foreshore for fishing and watercraft launch opportunities.

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.

Policy 21A: Boating and fishing activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water-dependent uses.

Policy 21: 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.

## **HISTORIC AND SCENIC QUALITY POLICIES**

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



Policy 23A: Provide for the long-term maintenance of Village-owned memorials: the 9/11 Remembrance Memorial, the World War I Veterans Memorial and Veterans Corner.

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 geologic 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, form, or materials will diminish the scenic quality of an identified resource. ***(This State policy is not applicable to Croton.)***

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.

Policy 25A: Establish and protect identified public viewsheds of the Hudson River, including but not limited to the public views of the Hudson River from the western shoreline of the Village, and of the Croton River and Gorge.

Policy 26: Conserve and protect agricultural lands in the State's coastal areas. ***(This State policy is not applicable to Croton.)***

#### **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.

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.

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. ***(This State policy is not applicable to Croton.)***

#### **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.

Policy 30A: Existing rail services and transportation-related facilities shall not dispose of any regulated materials in coastal waters until all such regulated materials have been tested by the State for conformance with water quality standards.

Policy 30B: Storage and disposal of all regulated materials shall be monitored by the State to assure there will be no discharge or leaching of such materials into coastal waters.

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.

Policy 31A: Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton bay which have already been overburdened with pollutants. Recommendations for mitigation and upgrading water quality classifications cannot be determined without continual monitoring and testing of the waters.

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.

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

Policy 33A: Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly into the rivers and water bodies.

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

Policy 34A: There shall be no discharge from moored structures or marine vessels.

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.

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.

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

Policy 37A: Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction.

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

Policy 38A: Require the New York City Department of Environmental Protection to maintain the minimum conservation flow from the New Croton Dam at all times, in order to maintain and protect an adequate Village drinking water supply.

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.

Policy 39A: Require, upon Village request, rail transporters, producers, storers and disposers of hazardous material to inform the Village or allow Village access to records involving the transport, storage, treatment and disposal of hazardous materials.

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.

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

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.

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.

Policy 43A: Encourage energy efficiency measures in municipal facilities and in both new and existing development.

#### **WETLAND POLICY**

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

Policy 44A: Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.

### ***Proposed LWRP Projects***

Based on the LWRP policies as amended above, discussions with the LWRP Advisory Committee, site visits and input from the public, the LWRP Update proposes a set of site-specific and programmatic projects to be undertaken in order to implement the LWRP. The projects are organized by the Village's LWRP Planning Areas (see Figure 2 for a map of these areas) as follows:

### **Croton River Basin Projects**

#### **1. Ensure Maintenance of New Croton Dam Conservation Flow**

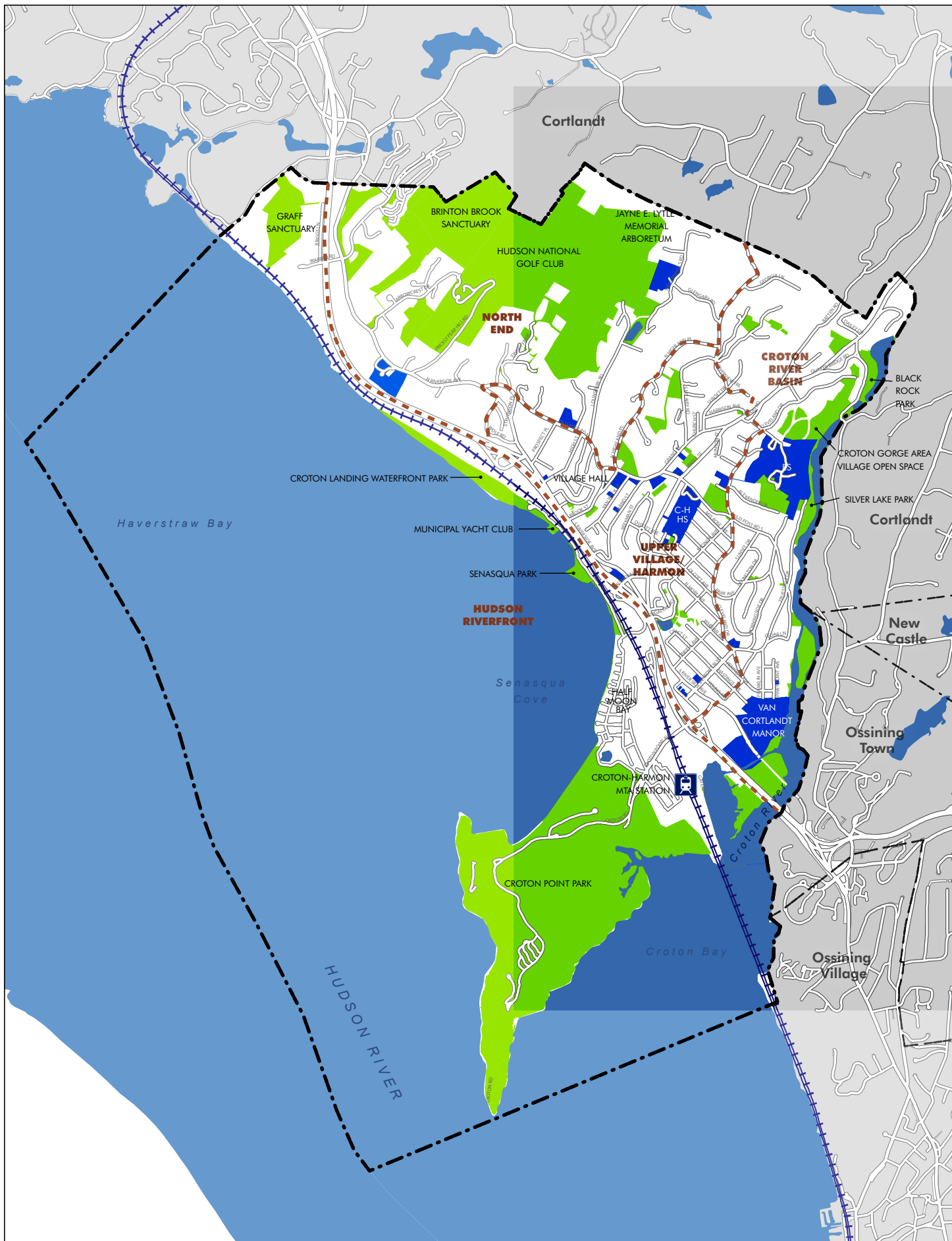
The health of the three-mile section of the Croton River within the Village is highly influenced by hydrology and reduced summer flows resulting from the New York City water supply system. The Croton River's flows below the New Croton Reservoir are carefully managed by New York City's Department of Environmental Protection (NYC DEP), as part of its extensive water supply network. NYC DEP is required to maintain certain baseflow conditions in the River as part of its New York State Department of Environmental Conservation (NYS DEC) water withdrawal permit.

A study of mandated base flows is needed to ensure the City's water supply needs do not harm the Croton River watershed downstream from the New Croton Dam. This would require additional investigation into the current demand on the Croton River water supply needs and the ecological implications inter-basin exports of water have on downstream ecological health. A possible outcome is the optimization of the current flow management to better support ecological processes downstream, while maintaining water supply needs.

In addition, the Village should work with NYC DEP to improve inter-agency communication about the conservation flow. This is especially important during drought conditions. The emergency reduction in flow is a discretionary action by DEP. The Village requests that DEP consider the impacts to the Village's drinking water supply, as well as to the ecological functions of the Croton River, before reducing the conservation flow to the River. Additionally, the Village requests to be notified beforehand of any reduction during a drought emergency.

#### **2. Address Drainage Systems that Lead to Erosion On Steep Slopes**

This project seeks to promote activities to control soil erosion and sedimentation caused by stormwater runoff. These issues are most significant along the steep banks of the Croton River Gorge, where trees and other protective vegetation have been diminished due to development and human use combined with invasive species and wildlife. Significant erosion also results from unstable stormwater outfalls that discharge untreated water directly onto the steep slopes. The high rate of erosion from these outfalls, combined with the loss of vegetation, has created structural instability on the slopes and increased sedimentation of the River. This sedimentation has been detrimental to stream quality and wildlife in the Croton River, a NYS DOS-designated Significant Coastal Fish and Wildlife Habitat and a major source of drinking water for the Village.



As part of this project, the Village will seek to address areas where existing drainage systems are known to contribute to erosion on steep slopes in the Croton Gorge area, such as near stormwater outfall pipes and at Mayo's Landing behind Tompkins Elementary School.

Funding should be sought by the Village to pre-treat the stormwater prior to discharging it into the streams and waterbodies. Additionally, the Village can identify opportunities to improve vegetation and drainage swales in areas adjacent to roads. Municipal highway staff should be trained in proper methods of repair of the drainage areas.

Retaining tree cover and vegetation would benefit wildlife and reduce stormwater runoff throughout the watershed. The Village should develop a planting plan with appropriate native vegetation. The Village should also consider adopting a program to incentivize private property owners to plant appropriate vegetation along steep slopes to stabilize the land and prevent further erosion.

### **3. Facilitate Upgrades to Catch Basins and Outfalls to Address Floatables in Croton Bay**

The intent of this project is to control stormwater runoff discharges and other pollutants from entering Croton Bay. The Croton River and Bay is a NYS DOS-designated Significant Coastal Fish and Wildlife Habitat, and the area has one of the largest shallow bay areas in the lower Hudson that is sheltered from strong currents and wind. The mouth of the Croton River is documented as a migratory fish hub used as a resting, foraging and nursery area. Portions of the River are stocked each year by the NYS DEC with trout.

The Village can take a number of steps to reduce stormwater runoff and the amount of pollutants entering the aquatic ecosystem. First, catch basins can be improved, and the frequency of catch basin cleaning can be increased. A routine catch basin cleaning program should be developed and implemented by the Village. Street sweeping should also be conducted on a regular basis within parking lot areas of concern to reduce the risks to water quality.

The Village should consider implementing green infrastructure within the municipally owned commuter parking lot at the train station, to capture runoff onsite and reduce sewer overflows. In the case of the parking facility, there are a number of opportunities to reduce runoff with landscaping and swales, and in many cases, this can be done without the loss of parking. Landscaping can also help to catch wind-swept debris from entering the bay. Utilizing porous asphalt will also reduce stormwater runoff volume and rate and the discharge of pollutants.

In addition, the Village should seek funding to restore the wetlands, particularly the tidal wetlands located along the Route 9/9A corridor, which would result help to improve water quality and wildlife habitat. The Village should use existing data as available to identify and evaluate degraded wetlands and to assist in on-going monitoring.

#### **4. Relocate Village DPW facility**

The DPW operates a municipal garage and salt storage shed at the southern end of the Croton-Harmon Parking Lot. There is also an uncovered storage area for rocks and other construction materials which can leach directly into Croton Bay from the facility. The site is also at high risk to flooding, as it is located within the 100-year floodplain.

There are many opportunities for the Village to clean up the facility and improve screening to reduce the degree of leaching. As a more permanent measure, the Village should relocate the facility to a more appropriate location. The Public Works Department is considering suitable locations for the relocation of the facility.

#### **5. Improve Echo Canoe Launch and Village-Owned Land South of Metro-North Parking Areas**

This small area off Croton Bay is used for small boat access (such as canoes, rowboats, dinghies and kayaks) and passive recreation including fishing. The development of this boat launch was a project featured in the Village's 1992 LWRP, and most of the improvements identified have been undertaken by the Village. The Echo Canoe Launch now has a parking area with signage, seating and a storage area for small watercraft. Kayak rentals and lessons are available at the site on a seasonal basis.

This project supports the continued improvement of this recreational area to enhance public access to the Croton River and Bay and the Hudson River. Improvements would include maintenance and improvement as necessary of the boat ramp; exploring additional parking opportunities for the ramp; and enhancing walkways, benches, signage and wayfinding measures. The existing small boat storage facility is well utilized, and the Village should expand it to accommodate more boats. Additional native plantings along the water's edge would also help to protect and restore the surrounding estuarine ecosystem.

### **Hudson Riverfront Projects**

#### **6. Facilitate Access to the Hudson River Waterfront**

Although there have been some recent improvements such as the Brook Street pedestrian bridge, in general, access to the waterfront is limited, and unsafe in some locations. Vehicular access to Senasqua Park and Croton Landing Park is constrained to one road (Eliott Way) and parking facilities are heavily utilized, especially during summer weekends.

Since space for parking is limited directly along the waterfront, the Village should pursue options for additional parking in areas that have pedestrian links to the waterfront, such as along Riverside Avenue, Municipal Place and Brook Street near the pedestrian bridge. Another opportunity to expand parking along the waterfront exists at Croton Landing Park and the

adjacent CSX facility next to the railroad, by a potential 30-40 spaces. This expansion would occur over a drainage easement for the CSX septic field area. The Village should coordinate with CSX to connect the property to the Village sewer system to free up the easement area for parking use. There is also additional CSX property adjacent to the railroad that does not appear to be heavily utilized. The Village should reach out to CSX to investigate the potential to lease or purchase some of the property for additional parking, if needed.

Pedestrian access is available in some areas, but the safety of such access should be improved. Enhanced pedestrian paths could be provided at Echo Canoe Launch and at Black Rock, where the linkage to a Croton River Gorge Trail would mean the development of a footpath or sidewalk.

The Village should improve pedestrian infrastructure between Senasqua Park and Croton Landing Park. While most of the Village's Hudson River waterfront area is part of the Westchester County RiverWalk trail system and easily accessible to pedestrians, a small but critical stretch of road along Elliott Way between Senasqua Park and Croton Landing Park is difficult for pedestrians to traverse. This 775-foot segment of road is constrained by the Metro-North right-of-way and the Hudson River, and there is no sidewalk or shoulder. P

This segment of Elliott Way is also directly adjacent to a portion of the waterfront that has experienced erosion. The Village is evaluating a proposal to improve pedestrian accommodations and shoreline stabilization measures at the right-of-way. The project would require the widening of Elliott Way at two at-grade sections and an elevated section (340 feet). The widening would include other road, drainage and water main extension improvements.

## **7. Improve Riprap along Hudson River between Senasqua Park and Croton Yacht Club**

This Village has identified a segment of waterfront land adjacent to Elliott Way between Senasqua Park and the Croton Yacht Club that is unprotected by bulkheads or riprap and has experienced significant erosion. The erosion is a risk to the Elliott Way right-of-way, and the Village is developing plans to stabilize the shoreline in conjunction with pedestrian improvements at this location.

## **8. Facilitate Croton Yacht Club/Croton Landing improvements**

The concept of a waterfront restaurant, or another use at the southern end of Croton Landing Park, adjacent to the Croton Yacht Club, has been discussed by the Village for years. As part of a 2001 feasibility study of alternative uses for the property including the Croton Yacht Club (CYC) and Croton Landing Park, survey respondents noted that a passive recreation area was desired; however a restaurant was a preferred use if any commercial development were to occur within Croton Landing Park. In 2011, the Village conducted a study to evaluate alternative development options for the CYC, which is located on Village-owned property. The study identified revenue-producing uses to help the site remain financially sustainable, and determined that the most



viable location for a restaurant would be at the southern end of Croton Landing Park, in the same area proposed in the 2001 study.

The 2011 study identified significant constraints to development on the CYC site, including its location in a 100-year FEMA floodplain. Parking is also an issue, as there is already insufficient on-site parking at Croton Landing Park to satisfy demand during busy hours. Development of a restaurant at the site would likely need to include opportunities to increase parking in the area. Potential development at the CYC site should be assessed through a public engagement process.

#### **9. Implement segment of RiverWalk Trail from Croton Landing Park to Oscawana County Park**

According to the Hudson River Trailway Plan (2003), Westchester County has proposed a 1-mile trail along the Hudson River that would connect Croton Landing Park with Oscawana County Park in Cortlandt. This trail would fill a gap between the RiverWalk trails at these two parks. The trail's proposed route follows a strip of land situated along the Metro-North railroad right-of-way between the tracks and the Hudson. This path could utilize a dirt road alignment that is currently used by railroad maintenance workers and informally by fishermen.

This portion of the RiverWalk would require an agreement with Metro-North for use of the right-of-way. Additional site issues include the design of safety features and fencing to separate trail users from the railroad tracks, as well as special design treatment for narrow areas between tracks and water.

#### **Village-wide Projects**

#### **10. Undertake management and capital improvement plan for Village parks, trails and open spaces**

Since the last LWRP was adopted, the Village has made substantial improvements and investments at Silver Lake Park, Black Rock Park, the Croton Gorge Walking Trail, Senasqua Park, Echo Canoe Boat Launch and Croton Landing Park. The Village has recently acquired the Gouveia Property at 1300 Albany Post Road and is considering options for public amenities at that site (see below). Given these improvements, the Village recognizes the need for a plan to protect, maintain and enhance its facilities to ensure they remain in good condition for the long-term.

This project supports the creation of a Maintenance and Capital Improvement Plan to address ongoing care and protection of existing parks, open spaces and trails. The goal would be to provide an action plan for regular maintenance and targeted capital improvements when needed. The maintenance program would evaluate annual labor, supply and equipment needs, and develop effective and efficient ways to keep park landscapes and facilities maintained and working properly.

The plan could also include an outreach component to solicit a public evaluation of park and trail maintenance. This could be done with an online survey or with comment/suggestion boxes placed in the parks. Public outreach could also be utilized to encourage community volunteer resources to assist in park beautification projects, e.g., rain gardens, restoration projects; invasive species control; and installation of signage, new playground structures, etc.

#### **11. Develop plan for future use of Gouveia Park**

The purpose of this project is to create a conceptual plan that will examine how to best utilize the Gouveia property, a 15.63-acre site recently acquired by the Village. This well-maintained property, located at 1300 Albany Post Road, was donated to the Village by the Gouveia family on the condition that the future use of the property be limited for park, recreation and educational (PRE) type uses. The donation by the Gouveia family also included a \$1 million gift to the Village to be used for the care and upkeep of the park.

The Village is considering installing a trail on the property's southerly section, which would connect to an existing path from Brinton Brook Sanctuary and the Jane Lytle Arboretum that comes down Arrowcrest Road and ends directly across the street from the Gouveia property. The trail would provide a destination for walkers that culminates in forested views of the Hudson River to the west. This improvement would require a minor investment by the Village and may be one of the few near-term uses at the site until the best long-term use is determined.

The northern portion of the property, with its gently sloping lawn, mature trees and views of the Hudson River, has the most potential to be utilized as a park space. The naturally sloped lawn is well suited for informal seating for artistic or cultural performance events. However, at this point, the Village has not made any plans for use of the outdoor area for outdoor events or long-term programming. The Village could collaborate with local arts or cultural organizations, or experiment with a few event types and formats to find what might work best for the outdoor area in the long run.

The Village has also not made any plans for re-use of the indoor space in the single-family home. Some uses contemplated include:

- A site for the Village's archives,
- A Village community center,
- Office and meeting space for a nonprofit partner organization with an arts/culture/parks education mission, or
- Rentable space for conferences or special events complete with kitchen and bathroom facilities.

While all of these uses may be viable, the Village should conduct an outreach campaign to find out how residents feel the site should be utilized. The Village should also conduct an analysis to ensure that the site remains financially sustainable.

### ***Impacts of LWRP Update Adoption***

The focus of the LWRP Update is primarily on enhancing and improving the public recreation and water-access facilities in Croton, as well as addressing environmentally sensitive areas. The proposed changes to the LWRP policies strengthen and improve the Village's protection of natural and man-made resources such as fish and wildlife habitats; air and water quality; historic and scenic resources; and sensitive areas such as steep slopes, wetlands and floodplains. All of these changes are anticipated to have a positive impact on the environment.

There are no changes proposed to zoning or any other regulations in the LWRP Update; therefore, no major changes to land uses are anticipated to result from its implementation. The only land use change recommended is a relocation of the Village's Department of Public Works (DPW) facility located north of the Echo Canoe Launch. That recommendation is intended to address issues related to the facility's current location within a floodplain and adjacent to Croton Bay. Relocating the DPW facility to an alternative site would resolve flooding-related issues, reduce potential negative impacts on Croton Bay such as stormwater runoff from the facility and provide the ability to enhance the Village's adjoining Echo Canoe launch facility.

Other projects recommended in the LWRP Update are intended to protect the Village's water supply, address drainage issues and steep slope erosion, facilitate upgrades to catch basins and stormwater outfalls to improve water quality in Croton Bay, address overall maintenance and improvements of Village parks, and enhance public waterfront access and recreational facilities such as Echo Canoe Launch, the Croton Yacht Club and Croton Landing Park. Implementation of these recommended projects can be anticipated to result in beneficial environmental impacts. Any specific actions to undertake these projects would be subject to an environmental review under SEQRA.

### **1.3 Coastal Assessment**

The Village of Croton-on-Hudson includes several coastal resources identified in the LWRP:

- Significant fish or wildlife habitats in Croton Bay and Haverstraw Bay,
- The locally significant Croton Point scenic resource and the Hudson Highlands Scenic Area of Statewide Significance (SASS), and
- Natural erosion protection features at Croton Point.

In addition, portions of Croton lie within 100-year floodplains; contain wetlands, streams and other surface water features; and have areas of steep slopes (15% or greater). The proposed LWRP Update is not anticipated to have an adverse impact on any identified coastal resource in Croton. The proposed action is consistent with the applicable LWRP policies for the Village.

