

SECTION III

WATERFRONT REVITALIZATION PROGRAM POLICIES

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DEVELOPMENT POLICIES:

POLICY 1

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

Explanation : Revitalization of once dynamic waterfront areas is one of the most effective means of encouraging economic growth in the State. In responding to this policy, several other policies must be considered. Priority should be given to uses which are dependent on a location adjacent to the water; the action should enhance existing and anticipated uses and lead to development which is compatible with the character of the area; the action should have the potential to improve the existing economic base of the community (e.g. by meeting unmet consumer needs); should improve adjacent and upland views of the water; and should have the potential to improve the potential for multiple uses of the site.

The Village of Mamaroneck waterfront has few areas which are underutilized and deteriorated. One area which falls into this category is the Village-owned property at the entrance to Harbor Island Park. It should be developed to a water-dependent use which is compatible with surrounding uses and which utilizes the potential of the existing dock, which though deteriorated has the potential to make a significant contribution to waterfront recreational access.

POLICY 2 (Also see Policy 4)

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

Explanation : There is a finite amount of waterfront property in the Village, and all of it has already been developed to specific uses. However, demand is increasing for waterfront property, and this results in increased pressures for re-development. Re-development pressures can result in either changes in land use or changes in densities, or both.

The traditional method of land allocation (i.e. the real estate market, with or without land use controls) offers little assurance that uses which require waterfront sites will, in fact, continue to be accommodated on the Village's waterfront.

The Village of Mamaroneck enjoys a unique maritime identity

which is derived from its excellent harbor and the waterfront and related activities which it permits. The excellence of the harbor is dependent not only upon its geographical shape but also upon the availability of public, quasi-public (club), and commercial marine facilities which front on the harbor and particularly on the availability of full-service commercial marine facilities for the abundance of recreational boaters using Western Long Island Sound, whose active use of the harbor benefits the Village by contributing to its economy and character.

The following uses and facilities are considered as water-dependent:

a. Recreational activities which depend on access to coastal waters (for example, boating, swimming, fishing, wildlife viewing);

b. Recreational facilities which depend on access to coastal waters. Examples of such water-dependent facilities include the following:

- Beach and/or yacht clubs;

- Facilities needed to store and service boats (boatyards, marinas, boat construction yards), more specifically identified as: facilities for hauling, launching, drystorage, and drysailing of boats; facilities for building, repairing, and maintaining boats and marine engines and other boating equipment; facilities for docking and mooring of boats, especially when found in conjunction with the above.

c. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example, facilities for the sale of fuel for boats, for the pumping out of marine holding tanks, for waste oil collection, parking lots, and dry storage of boats).

d. Commercial facilities for the construction of boats.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, although 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 level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront.

Where possible, consideration should be given to providing water-dependent uses with property tax incentives. This is a State policy which has special relevance to the Village of Mamaroneck since all commercial marine uses have long been zoned non-conforming and thus have been discouraged from expanding or upgrading their properties. If these

water-dependent uses were to be re-zoned to conforming use and thus encouraged to expand or upgrade, action should be taken to permit any such construction to be accomplished without re-assessment for tax purposes for a certain appropriate period of time.

It is recognized that the waterfront of the Village of Mamaroneck is an asset which gives the Village its character and value--and that this is a fragile asset vulnerable to destruction by increasing pressures for re-development. The re-development pressures can result in the elimination of water-dependent uses, and that result would be inconsistent with the policies of this program.

"Local land use controls, especially the use of zoning districts exclusively for waterfront uses, can be an effective tool in assuring adequate space for the development of water-dependent uses." (State of New York Coastal Management Program and Final Environmental Impact Statement, August 1982, Pg. II-6-3.)

POLICY 3. Not applicable.

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 : The Village of Mamaroneck is widely known for its waterfront recreational facilities (public park & marina, clubs, and boatyards) and is recognized as a maritime center of exceptional boating facilities and an abundance of marine-related retail businesses. The harbor is home to approximately 1,700 boats and boasts six boatyards, two public marinas, sixteen yacht and beach clubs, two mooring contractors, a boat-and-bait fishing station, a Coast Guard station, and 20 marine retail businesses. Marine activity contributions to the local economy are estimated at more than \$18 million annually. The recreational industry accounts for several hundred year-round jobs.

The continued health of the recreational economy is largely contingent upon implementation of Policy #2. Development and enhancement of the Village's maritime uses and activities can only be accomplished if local land use controls are implemented to prevent the displacement of water-dependent uses by water-enhanced uses. In addition, tax incentives should be offered, if possible as development inducement for water-dependent uses. In general, the marine recreational industry should be encouraged and water-dependent uses (public, club, and commercial marine) should be promoted.

not displaced

→ Harbor maintenance and management is a vital aspect of any policy for encouraging the Village's traditional maritime uses. Long-range planning for dredging, maintenance of public facilities, regulations for the safe passage of vessels, future development of the harbor, etc. should be addressed through the preparation of a harbor management plan.

POLICY 5.

Encourage the location of development in areas where public services and facilities are adequate.

Explanation: Located 23 miles from New York City, Mamaroneck is a suburban village where almost all land has been fully developed. In addition, infrastructure facilities and public services are generally adequate.

POLICY 6.

Expedite permit procedures in order to facilitate the siting of development activities at suitable locations. Continued development, where possible and appropriate, is desirable. In order to encourage such suitable development, permit procedures should be reviewed to determine if existing controls can be simplified in an effort to expedite desired development in areas suitable for such development.

FISH AND WILDLIFE POLICIES :

POLICY 7

Significant coastal fish and wildlife habitats, as identified on the N.Y. State Coastal Area Map (when finalized), shall be protected, preserved, and where practical, restored so as to maintain their viability as habitats. (See Coastal Area Map on page 17.)

Explanation: Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. Certain habitats are particularly critical to the maintenance of a given population and therefore merit special protection. Such habitats exhibit one or more of the following characteristics:

a. are essential to the survival of a large portion of a particular fish or wildlife population (e.g. feeding grounds, nursery areas, wetlands both saltwater and freshwater together with adjacent open areas);

b. support populations of rare, endangered, and threatened species;

c. are found at a very low frequency within a coastal region and/or are on a migratory path;

d. support fish and wildlife populations having significant commercial and/or recreational and/or educational value; and

e. would be difficult or impossible to replace.

State-wide designation of habitats has not yet been finalized. When designations are finalized, this Program should be amended to include these designations.

POLICY 7a

The following areas are identified in this Program as significant fish and wildlife habitats; and they will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

- a. Delancey Cove
- b. Greacen Point Marsh
- c. Ginsberg Hill (Fusco Property)
- d. Guion Creek Salt Marsh
- e. Kirstein Cove/Buttenweiser Is./Pops Rocks
- f. Magid Pond
- g. Otter Creek Salt Marsh
- h. Van Amringe Mill Pond.

In order to protect and preserve these significant habitats, land and water uses or development shall be undertaken only if such actions are consistent to the maximum extent practicable with the intent and purpose of this policy. When the action significantly reduces a vital resource (e.g. food, shelter, living space) or change environmental conditions (e.g. temperature, substrate, salinity) beyond the tolerance range of an organism, then the action would be considered to significantly impair the habitat. Indicators of a significantly impaired habitat may include: reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The range of physical, biological and chemical parameters which should be considered include:

a. physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;

b. biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, behavioral patterns, and migratory patterns;

c. chemical parameters such as dissolved oxygen, carbon dioxide, ph, dissolved solids, nutrients, organics, salinity, pollutants.

When a proposed action is likely to alter any of the

biological, physical or chemical parameters as described above beyond the tolerance range of the organisms occupying the habitat, the viability of that habitat has been significantly impaired or destroyed. Such action, therefore, would be inconsistent with the above policy.

POLICY 8

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

Explanation : The handling of hazardous wastes is regulated by State law, and those regulations are considered adequate for the purposes of this policy. However, other pollutants are of local concern, including conventional wastes (especially sewage), oil, fuel, herbicides, pesticides, swimming pool disinfectants--from both point and non-point sources. Both intentional dumping of pollutants into rivers and catch basins as well as pollutant-carrying runoff generated by new development can be harmful to fish and wildlife resources, and such actions should be prosecuted and/or prevented.

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 : Recreational uses of coastal fish and wildlife resources include fishing, lobstering, bird-watching and nature study, but exclude hunting. In the Village of Mamaroneck, there are only two ways to expand recreational use of fish and wildlife resources. The first way is to expand access to waterfront recreation (see Policies 1, 2 and 4). The second way is to upgrade coastal water quality to the point where the extensive shellfish beds in the area (now closed due to proximity to the Sewage Treatment Plant) are considered safe to re-open. (Also see Policies 10 and 30.)

POLICY 10

Further develop commercial finfish, shellfish and crustacean resources in the coastal area.

Explanation : Commercial finfishing and lobstering exist on a small scale and are not incompatible with the traditional recreational uses of Mamaroneck Harbor except when lobster pots, placed in channel and anchorage areas, jeopardize the safe passage and mooring of vessels. All shellfish beds are closed, as explained in Policy 9. On-shore facilities which promote commercial fishing and lobstering are a desirable

use where appropriate standards are met, and they should be promoted and enhanced.

FLOODING & EROSION HAZARDS 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 : Local, state, and federal laws regulate the siting of buildings in erosion hazard areas, coastal high hazard areas, and floodways; and these regulations are adequate to implement this policy.

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.

Explanation : Natural protective features (including wetlands, trees, beaches, and offshore islands) help safeguard coastal lands and property from damage, as well as reduce 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 high protective values lead to diminishing or destruction of those values. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse effects are minimized. Wetlands function as important flood-mitigators and will be protected from all encroachments which could impair their flood-reducing capacity.

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.

Explanation : On a State level, this policy is directed primarily at coastal erosion; however, on a local level, this policy is directed primarily at riverine erosion. Erosion control structures are often needed to stabilize riverbanks to mitigate the accumulation and transport of silt, which can diminish river-carrying capacity and/or increase harbor siltation. This policy is not directed at temporary structures erected to control siltation during construction projects.

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 : Coastal and riverine erosion and flooding are processes which occur naturally. However, by his actions, man 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 which 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 such as Best Management Practices for soil erosion and stormwater management (See Policy 33), thereby causing runoff and the erosion and weakening of riverbanks and shorelands and downstream flooding; and the placing of structures in identified floodways so that the base flood level is increased causing damage.

POLICY 15 Not applicable.

POLICY 16 Not applicable.

POLICY 17

Whenever possible, use nonstructural 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 floodproofing of buildings or their elevation above the base flood level.

Explanation : This policy recognizes both the potential adverse impacts of coastal and riverine flooding on and erosion on development and natural protective features which may occur in the coastal area as well as the costs of protection against those hazards which structural measures entails.

Nonstructural measures include the use of minimum setbacks, the avoidance of risk or damage by siting of buildings outside high hazard areas, and the floodproofing of buildings or their elevation above the base flood level. It also applies to the planning, siting and design of proposed development, including measures to protect existing activities and development. It applies to nonstructural measures to minimize damage to natural resources and property from flooding and erosion from riverine flooding. Best Management Practices shall be used to minimize erosion during construction. Westchester County and the Village of Mamaroneck have determined that these include a policy of "zero increase" in peak rates of stormwater discharge. This policy means that building projects and other development

shall not result in increased peak rates of stormwater discharge beyond predevelopment levels. The planning, siting, and design of proposed development in a floodplain will be in accordance with the Flood Damage Prevention Ordinance and all planning, siting, and design of proposed development regardless of location shall conform to Best Management Practices. (See Policies 33 and 37.)

GENERAL POLICY:

POLICY 18

To safeguard the vital economic, social and environmental interests of the State and the Village of Mamaroneck, 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 : Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources. This policy applies to actions which would affect natural resources identified in this Program, water levels and flows (both saltwater and riverine), and recreation.

PUBLIC ACCESS POLICIES :

POLICY 19

Protect, maintain and increase the levels and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized by all the public 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 : Village facilities, commercial marine facilities and quasi-public club facilities, as well as other water-related recreational facilities, shall be encouraged, protected, maintained and increased where appropriate. See Policies #1, 2, and 4.

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.

Explanation : It is a State policy that 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 is to be provided for activities which require only minimal facilities for their enjoyment (e.g. walking paths, bicycling paths, and

opportunities for passive enjoyment). Publicly-owned lands of the coast include not only Village-owned property but also the State-owned property below the high watermark. (Unless specifically granted to an individual landowner, the State owns all land underwater; and this includes that portion of the coast which is dry at low tide.)

Because of the exceptional water-related recreational facilities in Mamaroneck, this policy has limited applicability. However, should these facilities be substantially diminished, then this policy would have greater applicability to the Village. It is desirable that the present level of public access not be diminished.

RECREATION POLICIES:

POLICY 21

Water-dependent and water-enhanced recreation shall be encouraged and facilitated and shall be given priority over nonwater-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 : Provided the development of water-related recreation is consistent with the preservation and enhancement of important coastal resources such as fish and wildlife habitats, aesthetically significant areas and cultural resources, 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 higher priority over water-enhanced recreation uses. Among the types of water-dependent recreation, provision of adequate boating services (including essential storage and repair services) to meet present and 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 State and Village recognize a regional need for boating facilities in order to correct an area-wide problem of insufficient and shrinking facilities.

In the Village of Mamaroneck, boatyards, yacht and beach clubs, as well as public marinas, provide waterfront access for water-dependent recreation uses. The provision of adequate land-based boating services is a major concern of this policy. The clubs and the public marinas provide limited summer dockage and mooring space; but land-based support services are provided only by the commercial marine enterprises. These services include drysailing, dry

storage, full-service repair and maintenance--essential for the continued enjoyment of the present level of recreational boating activity in Mamaroneck Harbor.

More than 10,000 people enjoy water-dependent recreation uses through use of the municipal, quasi-public (club), and commercial marine facilities. In order to encourage and facilitate water-dependent recreation, these activities will be encouraged and facilitated and given priority over water-enhanced and nonwater-related activities.

POLICY 22

Development and re-development, when located adjacent to the shore, shall 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: Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments or re-developments are located adjacent to the shore, they should to the fullest extent permitted provide for some form of water-related recreation use unless there are compelling reasons why such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development or re-development which can generally provide water-related recreation as a multiple use include the Sewage Treatment Plant, the Westchester Day School (treatment plants and schools in general), and any residential subdivisions of 25 units or more. With specific regard to the Sewage Treatment Plant, re-construction must take into consideration the potential for multiple use, given its location in a waterfront park.

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 : Among the most valuable manmade resources are those structures or areas which are of historic, archeological, architectural or cultural significance. Protection of these structures or areas must involve a recognition of their importance by all local agencies and the ability to identify and describe them. The preservation of all such resources in the Village's coastal area is considered desirable, but preservation of historic and cultural resources which have a coastal relationship are recognized as being of special importance.

Fifty-four sites have been identified as being of local historic, architectural, or cultural significance. (See pp. 18-20.) Special note is made of the Mamaroneck Project

Plant (Tower & Administration Building) - Sewage Treatment Plant - an important local landmark. The Tower, which serves as a navigational aid, has a special coastal relationship and therefore deserves all possible consideration. Identification of these 54 sites under this program is distinguished from formal designation by the Village Board. Protection of all 54 sites is achieved through reference to SEQOR. Stricter protection under the Historic Preservation Ordinance is reserved for sites designated by the Village Board (see Section II) and for sites on, or determined to be eligible for inclusion on, the National or State Historic Register.

Protection under this Program shall mean that all practicable means shall be used to protect structures, districts, and sites identified in this Program. "All practicable means" includes consideration and adoption of techniques to prevent significant adverse change to such sites, structures, and districts. 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, architectural, cultural or archeological resource, or component thereof;

2. Demolition or removal in full or part of a building, structure or earthworks that is a recognized historic, cultural, or archeological resource of component thereof;

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 district that would be incompatible with the objective of preserving the quality and integrity of the resource.

In addition, the Mamaroneck Harbor area has been designated as an archeologically sensitive area on the New York State Archeological Site Location Map. Prior to development which may affect these resources, full consideration should be given to their values and appropriate mitigating measures employed. Planning should be coordinated with appropriate County and State agencies. (See pages 16 and 18.)

SCENIC QUALITY POLICIES:

POLICY 24 Not applicable.

POLICY 25

Prevent impairment of scenic resources of statewide or local significance.

Explanation: No scenic resources of statewide significance have been identified in the Village of Mamaroneck; however, Harbor Island Park is identified in this Program as being of

local significance. (See page 69 - Proposed Land Use Map.)
It is a scenic resource when viewed from inland or from the water, and impairment should be prevented.

Impairment includes:

a. the irreversible modification of geological forms, the destruction or removal of vegetation, the destruction or removal of structures, wherever the geological forms, vegetation or structures are significant to the scenic quality of an identified resource;

b. 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; and

c. signs not in compliance with the local sign ordinance. (See summary of sign ordinance in Appendix to Section II.)

POLICY 26 Not applicable.

POLICY 27 Not included.

POLICY 28 Not applicable.

POLICY 29 Not included.

WATER & 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 : Municipal, industrial, and commercial discharges include not only "end-of-pipe" discharges into surface, groundwater, and coastal waters, but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through treatment systems before reaching the streams, rivers, waterways, or coastal waters. This policy also applies to discharge of sewage into coastal waters; and therefore, it applies to the Sewage Treatment Plant. Federal water quality standards should be met, without variance, in order to protect coastal water quality.

POLICY 31

State coastal area policies and the purposes of this local program, if approved, will be considered while modifying water quality standards; however those waters already overburdened with contaminants will be recognized as being a development constraint.

Explanation : Pursuant to the Federal Clean Water Act of 1977, 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 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 established by the State pursuant to the Federal Clean Water Act.

The land and water uses proposed in this Program are consistent with this policy, and the water quality classifications are appropriate for the uses proposed.

POLICY 32 Not applicable.

POLICY 33

Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters. (See Policies 11, 12, 14, and 37.)

Explanation : Best management practices include both structural and nonstructural methods of preventing or mitigating these problems which degrade coastal water quality. Combined sewer overflows result from combined and infiltrated sewer lines bringing into the Sewage Treatment Plant more wastewater than it can handle. To prevent back-up of sewage into homes and onto streets, the wastewater is diverted from the Plant and discharged directly into the East Basin of Mamaroneck Harbor. Located at the bottom of a watershed which is topographically vulnerable to flash-flooding, Mamaroneck is subject to recurrent riverine flooding, sewage overflows, and steady sedimentation of the harbor. All practicable measures should be taken to mitigate these problems.

Structural methods include flood control projects (federal or other) which increase the carrying capacity of rivers and possible relocation of storm sewers. Nonstructural methods include best management practices and watershed management planning on a regional basis. Best management practices, as determined both by Westchester County and the Village of Mamaroneck, include a policy that new development or construction should provide adequate stormwater runoff retention facilities so that peak rates of discharge are not increased beyond predevelopment or preconstruction levels. This is referred to as the "zero increase" policy. Until watershed management planning can be accomplished and implemented on a regional basis, the zero increase policy is the most effective nonstructural method for protecting coastal waters in accordance with the intent and purposes of this Policy.

POLICY 34

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

Explanation : This discharge of sewage, garbage, rubbish, and other solid and liquid materials into Mamaroneck Harbor or the waters within its coastal jurisdiction is regulated by federal and state laws. Priority will be given to enforcement of this policy in areas proximate to tidal wetlands, significant fish and wildlife habitats, and beach facilities. Facilities for pumping out of marine sanitation devices are promoted and encouraged at any public, commercial, or quasi-public (club) marine facility in Mamaroneck Harbor; and will be required at new marinas.

POLICY 35

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

Explanation : Dredging is essential for waterfront revitalization, development and maintenance of adequate water depths in Mamaroneck Harbor as well as for meeting other coastal management needs of the Village's waterfront. Dredging projects, however may adversely affect water quality, fish and wildlife habitats, wetlands, beach facilities, and other important coastal resources. Through careful timing which is based on environmental considerations and on design of the dredging operation, it is often possible to mitigate these potential adverse effects.

→ Dredging will be done in accordance with applicable existing State and Federal regulations.

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: In addition to coastal waters, this policy also includes the rivers which drain into the coastal waters of the Village. (See Policy 8.) The rivers which empty into Mamaroneck Harbor are subject to accidental and intentional dumping of petroleum products and other hazardous materials. Hazardous materials includes toxic chemicals and nuclear wastes being transported overland. These activities are regulated by federal and state laws, and it is desirable that this policy be implemented thoroughly.

POLICY 37

Best management practices will be utilized to minimize the

nonpoint discharge of excess nutrients, organics, and eroded soils into coastal waters.

Explanation: The coastal waters of the Village are subject to steady sedimentation from soils eroded into the rivers which empty into Mamaroneck Harbor as well as pollution by coliform bacteria carried in stormwater runoff. All possible measures should be taken to mitigate these problems. Best Management Practices are identified by Westchester County.

Best management practices used to reduce nonpoint sources of pollution and erosion include but are not limited to organic pest management principles where feasible (particularly with regard to mosquito control in tidal wetlands), soil erosion control practices, and surface drainage control techniques. (See Policies 8, 12, 17, and 33.)

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: A few private wells exist in the Village, and for this reason the quality and quantity of groundwater supplies should be protected.

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 land and scenic resources.

Explanation: Generally, solid wastes include sludges from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes and nuclear waste. In the Village, solid waste also includes the wastes composted in the compost site on Taylor's Lane. Since this site is presently connected to Magid Pond and thence to the Otter Creek Salt Marsh--both important wetlands of state-wide significance--the compost area has the potential to impact those wetlands through subsurface contamination if hazardous wastes were to be placed there. In addition, solid waste also includes wastes collected at garbage compacting and transfer stations, especially if these are located adjacent to the rivers which empty into coastal waters. Coastal waters, recreation facilities, and wetlands can be impacted by pollutant-carrying runoff from such sites; and they can also be impacted by spillage into the rivers of wastes being transported on Interstate 95.

POLICY 40 Not applicable.

POLICY 41 Not included.

POLICY 42 Not included.

POLICY 43 Not included.

POLICY 44

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

Explanation: 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 Dept. of Environmental Conservation's Tidal Wetlands Inventory Map and are also identified on the coastal resources map entitled "Natural Resources Inventory" (see page 17). Most notable tidal wetlands in the Village are in the areas of Otter Creek and Guion Creek.

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 Protection of Waters Act. There is one State-identified freshwater wetland in the Village--Magid Pond. Although too small to meet standard criteria, Magid Pond was identified because of its special State-wide significance. It is a Class I (most important) wetland.

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

- a. 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;
- b. erosion, flood and storm control;
- c. natural pollution treatment;
- d. groundwater protection;
- e. recreational opportunities;
- f. educational and scientific opportunities; and
- g. aesthetic open space in many otherwise densely developed areas.

The Village's tidal and freshwater wetlands will be preserved and protected to the maximum extent possible. (See Policies 7 and 8.)