

Village of Mamaroneck Local Waterfront Revitalization Program

Adopted:
Village of Mamaroneck Board of Trustees, November 13, 1984

Approved:
NYS Secretary of State Gail S. Shaffer, May 21, 1985

Concurred:
U.S. Office of Ocean and Coastal Resource Management, August 12, 1985

This Local Waterfront Revitalization Program has been adopted and approved in accordance with the provisions of the Waterfront Revitalization and Coastal Resources Act of 1981 (Executive Law, Article 42) and its implementing regulations (6 NYCRR 600 and 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a Routine Program Implementation has been obtained in accordance with the provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

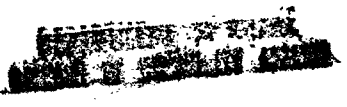
The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management under the Coastal Zone Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, 162 Washington Avenue, Albany, New York 12231.

LA 4712 HR

RECORDED

AUG 16 1985



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Washington, D.C. 20235

AUG 12 1985

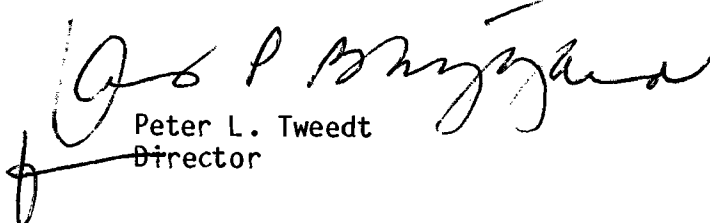
Mr. George R. Stafford
Coastal Program Manager
Department of State
162 Washington Street
Albany, New York 12231

Dear Mr. Stafford:

The Office of Ocean and Coastal Resource Management has completed its review of your request to incorporate the Village of Mamaroneck Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program. As you know, we have been awaiting receipt of the final program which we recently received. We received comments from 10 agencies, one of whom, the U.S. Department of Transportation Federal Highway Administration, objected to the adoption of the LWRP as a routine program implementation change. The changes in the final document adequately reflect DOT's concern. We concur with your request that the Mamaroneck LWRP be considered as routine program implementation.

In accordance with the Coastal Management Regulations, 15 CFR 923.84, Federal Consistency will apply to the Village of Mamaroneck LWRP after your publish notice of our approval.

Sincerely ,


Peter L. Tweedt
Director





STATE OF NEW YORK
DEPARTMENT OF STATE
ALBANY, N.Y. 12231

GAIL S. SHAFFER
SECRETARY OF STATE

May 21, 1985

Honorable Paul Noto
Mayor
Village of Mamaroneck
Mamaroneck, NY 10543

Dear Mayor Noto:

It is with great pleasure that I inform you that, pursuant to the Waterfront Revitalization and Coastal Resources Act, I have approved the Village of Mamaroneck Local Waterfront Revitalization Program (LWRP). The Village is to be commended for its thoughtful and thorough response to problems and opportunities presented along its waterfront.

The Office of Ocean and Coastal Resources Management will soon issue a Routine Program Implementation Determination which will also appear in the State Register and Environmental Notice Bulletin. As a result, the Mamaroneck LWRP will be formally incorporated into the New York State Coastal Management Program, and Federal agencies are required to undertake their actions in a manner consistent with the LWRP. I will shortly notify State agencies that I have approved the Village's LWRP and will provide them with a list of their activities which must be undertaken in a manner consistent to the maximum extent practicable with the Mamaroneck LWRP.

Again, I would like to commend the Village of Mamaroneck on its efforts to develop the LWRP and I look forward to working with you in the years to come as you endeavor to wisely manage your waterfront.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail S. Shaffer".

Gail S. Shaffer
Secretary of State

GSS:lc

WHEREAS, the Board of Trustees of the Village of Mamaroneck has reviewed and considered the Local Waterfront Revitalization Program and all reports, records, and comments comprising the proceedings of the Coastal Zone Management Committee and Coastal Zone Management Commission and finds that the adoption of the Program will have a significantly beneficial impact upon the Village and will enhance and protect the health and welfare of the residents of the Village;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Mamaroneck does hereby adopt the Local Waterfront Revitalization Program;

BE IT FURTHER RESOLVED, that the Board of Trustees does hereby refer the various proposals, recommendations, and plans set forth in the Local Waterfront Revitalization Program to the appropriate Village boards and commissions for review and action as soon as possible in accordance with State and Local Law, including (without limiting the generality of the foregoing) that:

(i) The Planning Board shall advise the Board of Trustees regarding all proposed changes in the Village Zoning Ordinance by December 1, 1984;

(ii) That the Coastal Zone Management Commission jointly with the Harbor Commission prepare by December 15, 1984 an application to the New York State Department of State for funds to complete the Harbor Management Plan;

(iii) That the Coastal Zone Management Commission prepare by December 15, 1984 an application to the New York State Department of State for funds to undertake and complete a feasibility study of biological mosquito control methods;

(iv) That the Village Attorney prepare such proposal local laws and amendments to local laws as specified in the Local Waterfront Revitalization Program and prepare all required notices of public hearings to adopt such laws and amendments;

(v) That a public hearing be set for December 10, 1984 to receive comment on all non-zoning local laws and amendments proposed in the Local Waterfront Revitalization Program; and that a public hearing be set for December 17, 1984 on proposed rezonings; and

(vi) That the Village Manager coordinate the activities of the Village government to implement the Local Waterfront Revitalization Program and report to the Board of Trustees at the earlier of its bi-monthly regular meetings as to actions taken and yet to be taken to fully implement the Program.

Ayes: Noto, Hofstetter, Cianunsio,
Funicello, Oppenheimer

Nays: None

County of Westchester }
Village of Mamaroneck }

ss:

I, the undersigned Clerk of the Village of Mamaroneck, Westchester County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Trustees of the Village of Mamaroneck, including the resolutions contained therein, held on the day of _____ with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Village this _____ day of _____

Leona M. [Signature]

VILLAGE OF MAMARONECK
LOCAL WATERFRONT REVITALIZATION PROGRAM

Prepared by the
COASTAL ZONE MANAGEMENT COMMISSION

Kathryn Clarke, Chairman
James Desmond Daniel Siesel
Paul Ryan Mildred Warnecke

The Commission gratefully acknowledges the help it has received from a multitude of agencies, officials, and staff, especially Charles McCaffrey, Jr. of the New York State Department of State. To Robert Funicello, Deputy Mayor of the Village of Mamaroneck, we express our deepest appreciation for his guidance and dedication.



Photo by George Klein

"...a bluff rose abruptly toward the west to a most commanding height in the form of an amphitheatre which, Soundward on its right and on its left also, formed curves surrounding a beautiful bay with what was termed Delancey Point or Neck...(and Guion's Neck)...making a most beautiful and nearly landlocked bay frequented by wild fowls, in the center of which was a small island that in the summer season on quiet days looked like an emerald surrounded by the calm waters that appeared by sunlight or moonlight as if the emerald were set in glittering and flashing diamonds..."

A.C. Ferris describes Mamaroneck Harbor as it appears in the 1830's. Mamaroneck Register, 1897. Courtesy of Daniel Wolff, Mamaroneck Historical Society.

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Village of Mamaroneck

LOCAL WATERFRONT REVITALIZATION PROGRAM

SUMMARY

BACKGROUND

In 1972, the United States Congress passed the Federal Coastal Zone Management Act, which called on states to develop coastal management programs and made federal money available for that purpose. New York State passed the Waterfront Revitalization and Coastal Resources Act in 1981 and, in 1982, adopted a State Coastal Management Program. The State legislation offers municipalities the opportunity to develop local coastal management programs and makes some federal money available for that purpose.

In anticipation of this action by New York State, the Village of Mamaroneck moved forward in 1979 to form the Coastal Zone Management Committee, a 30-member, broadly-representative citizen group which was chaired jointly by Mayor Suzi Oppenheimer and Village Manager Armand Gianunzio. With a grant of \$5,000 in "seed money" from New York State, the Committee developed the Coastal Zone Management Program--Phase One--January 1981 report, Daniel Natchez & Samuel Yasgur, Editors. This report (hereafter, "Phase One Report") inventoried coastal conditions in the Village, identified particular issues and opportunities of special importance, and recommended that a permanent commission be established to develop proposals for specific actions.

In 1982, as the State coastal management program was approaching adoption, the Village passed a local law which established a permanent Coastal Zone Management Commission, identified the same issues as in the Phase One Report, and directed the Commission to recommend actions to preserve the Coastal Zone.

In May of 1983, the Village entered into a contract with the Department of State of New York State for the preparation of a Local Waterfront Revitalization Program. The project was to be funded jointly by the Village and the State, providing for \$20,000 in federal funds to be matched by the Village with a combination of monies and services-in-kind--for a total project cost of \$40,000. The result is this document.

REQUIREMENTS & BENEFITS

The State program contains 44 State Coastal Management

Policies. These policies fall into ten different categories--development; fish/wildlife; flooding/erosion hazards; public access; recreation (including historic preservation); scenic quality; water/air resources; wetlands; general; other. Local governments who elect to prepare a coastal management program must address each of these 44 policies, determine how they apply on a local level, give them appropriate local specificity, and implement them through appropriate local actions.

The result of this process is that State policies are given the force of local law and, thereby, New York State can achieve its long-range goals for managing its coastline--a coastline governed by a multitude of local municipalities.

The benefit to the local municipality is that, when the local program is approved by the Secretary of State and the U.S. Department of Commerce, then all State and Federal agency actions (whether direct action, or funding of a project, or granting of a permit) must be consistent with the local program, thereby achieving for local government an unique and powerful influence.

The State's authority to approve or withhold approval of a local program does not lessen the authority of the local municipality to determine what best serves the interests of the community. Instead, it adds to local authority by adding the 44 Policies to the legitimate planning goals for which a local government may utilize its powers.

DESCRIPTION OF VILLAGE OF MAMARONECK PROGRAM

The purpose of the Local Waterfront Revitalization Program is to promote a balance between economic development and preservation in order to permit the beneficial use of coastal resources while preventing the loss of living marine resources and wildlife, diminution of open space areas or public access to the waterfront, impairment of scenic beauty, or permanent adverse changes to ecological systems.

The program is composed of an inventory and analysis; a section on policies; a section of specific uses, projects, and procedures; a section on implementation techniques; summary of consultations with other agencies; listing of Federal and State Programs likely to affect implementation; and a description of procedures used to obtain local commitment.

The program is a means of implementing State coastal management policies on a local level. The policies are modified where appropriate to reflect the particular situations and circumstances unique to the community. Special provision is made for the continued use of the coastal area for publicly accessible water-dependent activities and for measures to improve harbor and watershed

management as well as measures to better manage and protect land and water resources. The program encourages coordinated planning, development, and resource management while the policies themselves serve to guide future activities in the coastal area.

Specific land and water uses and procedural mechanisms are identified as essential to implementation of key policies. Among these are the preservation of the maritime "working port" character of the waterfront, including the development of a harbor management plan, the siting of water-dependent uses on the coast, and the maintaining or increasing of the present level of public access to the waterfront area. Improved floodplain and watershed management are also identified as necessary to minimize flooding problems and protect existing land uses. Significant coastal resources such as fish and wildlife habitats are identified as valuable land and water uses, and the program recognizes the need to provide additional protection for and management of these areas.

A key element of the program is the development of techniques to implement the policies. These include amendments to local laws; establishment of a management structure with provision for consistency review; and specific projects, including additional study leading to the completion of a harbor management plan. The implementation techniques fall into four general areas: public access, watershed management, natural resource protection, and harbor management.

The Public Access Plan implements the public access policies and several of the development policies and recreation policies. It facilitates the siting of water-dependent uses on the coast, strengthens the tax base by promoting the traditional waterfront recreational uses of Mamaroneck Harbor, and ensures at least the present level of public access. The plan provides for amendment to the Village Zoning Ordinance to create a Marine Zone along the waterfront reflecting the current balance of land uses. The plan recommends providing tax incentives for marine businesses (which would require State-enabling legislation) and the development of programs to increase public awareness of the Village's maritime identity.

The Watershed Management Plan implements several of the water/air resources policies as well as many of the flooding/erosion hazards policies. It provides for amendment to the Flood Damage Prevention Ordinance so as to incorporate Westchester County's Model Ordinance for Flood, Erosion and Sediment Control and to tighten local regulations in order to minimize to the extent possible flooding and erosion impacts on the coastal area and coastal waters. The need is recognized for a mechanism whereby the combined problems of flooding/sewage overflows/harbor sedimentation can be addressed on a watershed-wide level.

New York State is encouraged to recognize that these watershed problems have a direct and negative impact on coastal waters. Further, the Village recognizes that full secondary treatment of sewage at the Westchester County Sewage Treatment Facility on Harbor Island is desirable in order to protect water quality in Western Long Island Sound.

The Natural Resources Protection Plan implements several of the water/air resources policies, the wetlands policy, the fish/wildlife policies, and some of the recreation policies. It provides for amendments to local laws to recognize formally a number of environmentally significant areas so as to ensure that impacts on such areas are adequately addressed as part of the SEQOR process prior to undertaking potential actions and to minimize, for wetland areas, some of the adverse environmental impact which may potentially result from adjacent high density development. Protection of historical and archeological resources is achieved through application of the appropriate CZM policies as well as through the existing Historic Preservation Ordinance.

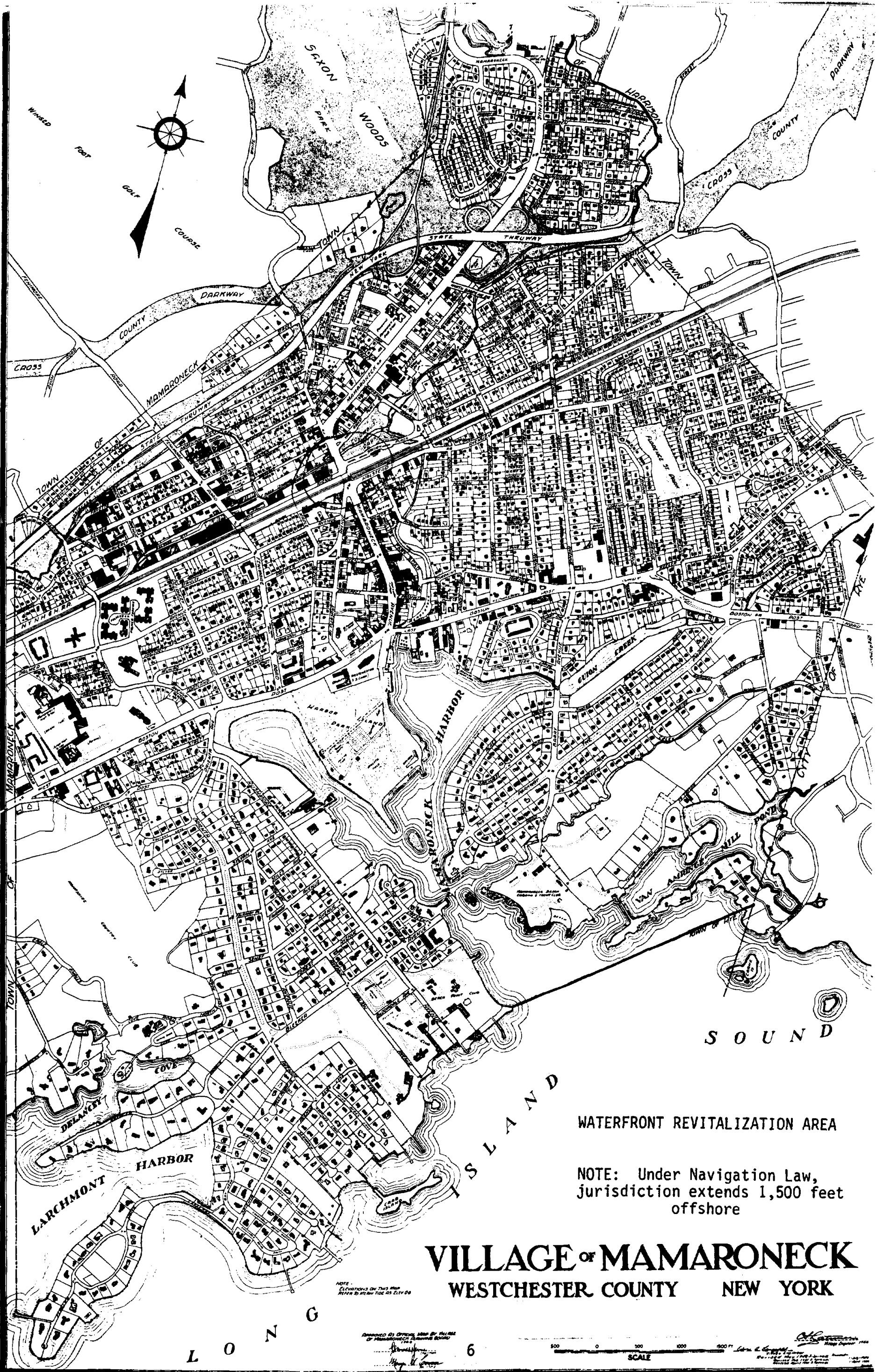
The Harbor Management Plan, when completed, would implement several of the development and recreation policies as well as some of the public access and water/air resources policies. At present, the Plan provides for a new local law restructuring the Harbor Commission, designates specific areas of the harbor for particular uses in order to improve harbor safety, and calls for the registering with the Village of dry-sailed vessels. Still to be determined is the feasibility of expanding Village recreational boating facilities as well as a number of other important questions and considerations. Further study is proposed in order to complete the Harbor Management Plan.

* * * * *

This LWRP document is tiered upon the original Phase One Report (January 1981). A preliminary draft LWRP was circulated to the public in September 1983. A draft LWRP, together with a draft Environmental Impact Statement prepared by Malcolm Pirnie Inc., was circulated to the public in May 1984. A public hearing was held by the Village Board of Trustees in June 1984 and continued in July. A Final Environmental Impact Statement was circulated in October of 1984, and the final LWRP was adopted in November 1984.

SECTION I

WATERFRONT REVITALIZATION AREA BOUNDARY



SOUND

WATERFRONT REVITALIZATION AREA

NOTE: Under Navigation Law,
jurisdiction extends 1,500 feet
offshore

VILLAGE OF MAMARONECK
WESTCHESTER COUNTY NEW YORK

NOTE: ELEVATIONS ON THIS MAP REFER TO MEAN TIDE OF 1985

APPROVED BY OFFICE OF THE BOARD OF MAMARONECK TOWN

6

SCALE 0 100 200 300 400 500 600 700 800 900 1000

Map of Mamaroneck, Westchester County, New York, 1985

Description of the Waterfront Revitalization Area:

The waterfront revitalization area covered by this program coincides with the boundaries of the Village of Mamaroneck jurisdictional limits, including the harbors, coves, and inlets appearing on the official village survey (of 1911) on file in the office of the Village Engineer as well as the vessel regulation area extending 1,500 feet offshore from Flagler's Dock on Satan's Toe to Orienta Point.

SECTION II
INVENTORY AND ANALYSIS

Summary:

In January, 1981, the original Coastal Zone Management Committee published its report, entitled "Coastal Zone Management Program--Phase One," Natchez & Yasgur, editors. That report (hereafter the "Phase One Report") identified issues to be addressed in the next phase in the development of a coastal management program for the Village of Mamaroneck. This document, the "Local Waterfront Revitalization Program" represents phase two of the process, is tiered upon the Phase One Report, and focuses on issues identified by the original committee.

Issues addressed in this phase two document are: (a) riverine flooding, sewage overflows, harbor sedimentation; (b) natural resources and open space; (c) coastal land use and density; and (d) long-term harbor management.

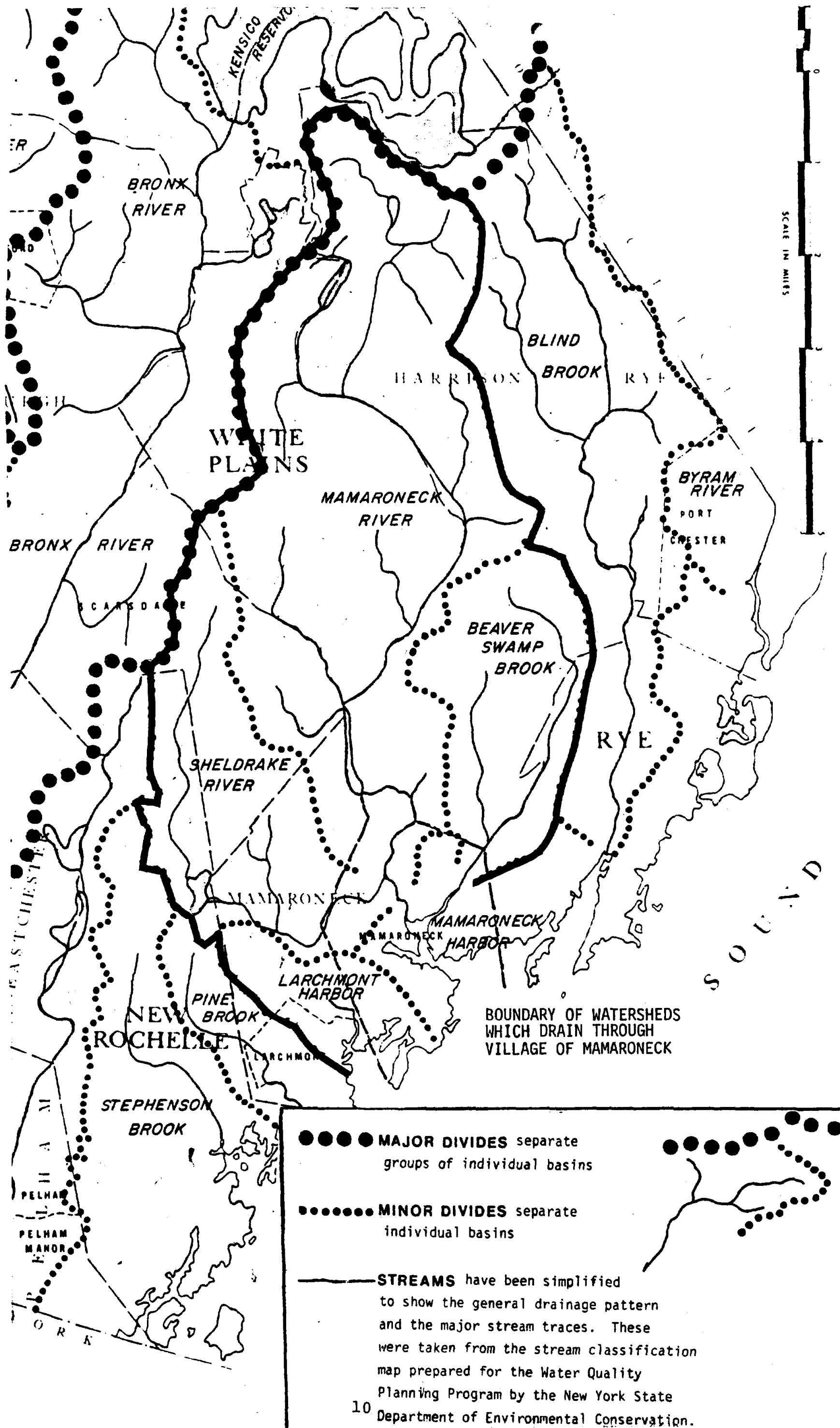
Inventory:

(a) Riverine flooding, sewage overflows, and harbor sedimentation:

The Village of Mamaroneck is a low-lying coastal community on the shores of Western Long Island Sound. Situated approximately 23 miles northeast of New York City, the Village encompasses 3.2 square miles and has 9 miles of shorefront. The majority of Mamaroneck's more than 17,000 population do not commute to New York City but, instead, work in or near Mamaroneck. The Village has a combination of residential, commercial, marine recreational, and light industrial development. The recreational facilities are exceptional, and the harbor is well-recognized as an important "working port."

Much of the Village lies in flood plains--both coastal and riverine. Because of its coastal location, the Village lies at the bottom of three drainage basins--the Sheldrake River Basin, the Mamaroneck River Basin, and the Beaver Swamp Brook Basin. These watersheds drain approximately 28 square miles of land and are often subject to flooding, especially at the confluence of the Mamaroneck and Sheldrake Rivers. High flood flows have resulted in extensive damage to residential and commercial properties as well as resulting in harbor siltation and significant degradation of coastal water quality.

Along with soil absorbency, the shape of a drainage basin is a major factor in determining flood severity. A long, narrow drainage basin does not produce as severe a flood as a basin which is wider in proportion to its length. The wider the basin, the higher the resulting rates of stormwater runoff. The Mamaroneck Basin is wider in proportion to its length than any other in lower Westchester County. Although Mamaroneck itself is characterized by poor drainage associated with floodplains, shallow soils, steep



KENSICO RESERVE

BRONX RIVER

BLIND BROOK

HARRISON RYE

WHITE PLAINS

MAMARONECK RIVER

BEAVER SWAMP BROOK

RYE

BYRAM RIVER

PORT CHESTER

BRONX RIVER

SCARSDALE

SHELDRAKE RIVER

MAMARONECK

MAMARONECK HARBOR

LARCHMONT HARBOR

PINE BROOK

NEW ROCHELLE

STEPHENSON BROOK

BOUNDARY OF WATERSHEDS WHICH DRAIN THROUGH VILLAGE OF MAMARONECK

EAST CHESTER

ROCK

PELHAM

PELHAM MANOR

SCALE IN MILES

slopes, and a high water table, elsewhere in the Mamaroneck/Sheldrake watershed topography and soil types favor high water absorption. In the past, this tended to offset the higher rates of runoff associated with the basin's wide shape. However, land development throughout the combined watershed has reduced this absorption effect. As a result, floods become higher and more frequent as more and more absorbent land is paved over and built upon. These facts were first pointed out in a study by the Westchester County Dept. of Public Works in 1945.

Soil, stripped of vegetation, washes into the rivers and ends up contributing to shoaling of the harbor. Dredging of the entire harbor is needed at least every 10 years in order to maintain adequate depths. Partial dredging of municipal facilities was done in 1982 at a cost to Village taxpayers of over \$92,000.

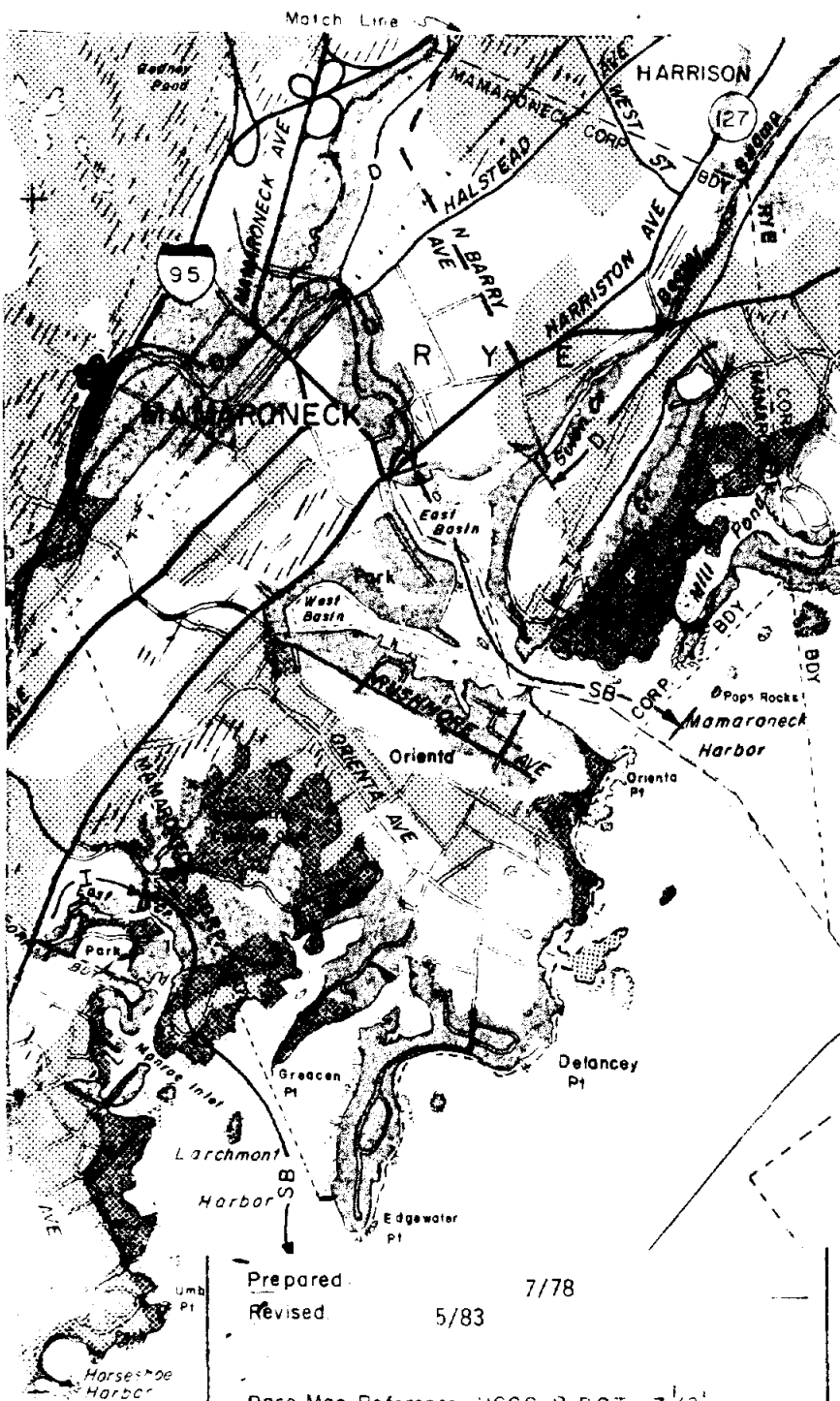
Stormwater runoff enters the 282 miles of sanitary lines in the Mamaroneck/Sheldrake watershed and overburdens the sewage treatment plant at the head of the East Basin of Mamaroneck Harbor. At such times sewage bypasses the plant and is pumped directly into the harbor, jeopardizing Harbor Island Beach and two nearby wetland conservation areas. The outfall line, which extends from the Sewage Treatment Plant to the vicinity of Bell 42 off Milton Point, is deteriorated and leaking. A major project to replace the line is nearing the construction phase.

These problems are not unique to the Village of Mamaroneck but are faced by many communities, particularly the Sound Shore communities, which are located at or near the bottom of one or more drainage basins.

Structural solutions to riverine flooding have been sought since 1939, when Federal flood control aid was first proposed for the Mamaroneck/Sheldrake area. A major Army Corps of Engineers project is now in the planning stage, with construction targeted to begin in 1986.

Non-structural solutions are also needed to address the cause of this problem-- the cumulative impact of land development. Various of the Sound Shore communities have enacted local flood and wetland ordinances, but these controls apply only within the particular municipality's jurisdiction. Watersheds follow topographical not municipal boundaries. Runoff accumulates from a multitude of individual sources throughout the watershed, and all of it drains through the Sound Shore communities into Long Island Sound.

As yet, there is no overall drainage basin planning nor a consistently applied policy of stormwater control, although Westchester County is seeking to promote both through informal intermunicipal agreements. There exists no formal mechanism whereby watershed management can be accomplished.



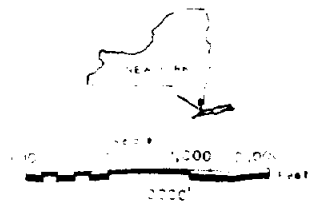
Prepared 7/78
 Revised 5/83

Base Map Reference USGS & DOT 7 1/2'
 Quadrangles Mt Vernon & Mamaroneck

Legend

- AGRICULTURAL DISTRICTS
- HIGH VIABILITY FARMING
- FLOOD PLAIN
- STEEP SLOPES
- AREAS OF CRITICAL EROSION
- HIGH WATER TABLE/SHALLOW SOILS
- WATER QUALITY**
 Classification SSA-D,S
 Limiting Segments
- AIR QUALITY MAINTENANCE AREAS
- HISTORIC/ARCHEOLOGICAL SITES** H-3
- SERVICE AREA**
 Public Water Supply
 Public Sewer
- EXCLUDED FEDERAL LANDS
- COASTAL AREA BOUNDARY

Development Consideration



BASE MAP WC-11

Federal flood management criteria require that drainage basin plans be developed. However, this criteria cannot be met under present New York State legislation. The State has riverine water regulations, but they apply to water quality, not quantity. Although many states do have flood control programs--and legislation has been proposed in New York State--none has been signed into law.

New York Suburban Town Law permits the establishments of drainage districts but limits participation. Such districts can be established by motion of a town board after a public hearing or upon petition of at least one-half the taxable real property owners in the proposed district. Upon the action of a town, a drainage district may be created in a village if the village consents. No comparable power to initiate a drainage district is granted to villages. Drainage districts cannot be created in cities. Since the watersheds affecting the Sound Shore communities are composed of all three types of municipalities, enabling legislation is needed in order to permit equitable participation. Without equitable participation by cities, villages, and towns, management of watersheds cannot be formalized but will have to be based on the creation of a series of informal intermunicipal agreements.

Westchester County has passed enforceable legislation (the Stream Control Ordinance) which regulates intrusions within 100 feet of the channel line of certain streams. However, the only streams regulated are those in the lower reaches of the watersheds, and therefore this legislation does not address the cumulative impact of stormwater runoff. Westchester County's Soil and Water Conservation District has recently added to its Best Management Practices Manual Series with the publication of its "Best Management Practices Manual for Stormwater Runoff Control." This manual establishes a policy of "zero increase" in the rate of peak discharge of stormwater runoff. This means that in order to protect the downstream watershed from increased flooding, such rates should not exceed predevelopment levels. Strictly speaking, adherence to this policy is optional except where a community chooses to include it in its own local regulations. Local regulations could be amended to include the "zero increase" policy, or the municipalities could choose to adopt and abide by the County's "Model Ordinance for Flood, Erosion and Sediment Control," which mandates use of Best Management Practices. At the time of this writing, only four communities in Westchester have adopted the Model Ordinance: Yonkers, Town of Rye, Harrison, and North Castle.

has this been included?

has this been included?

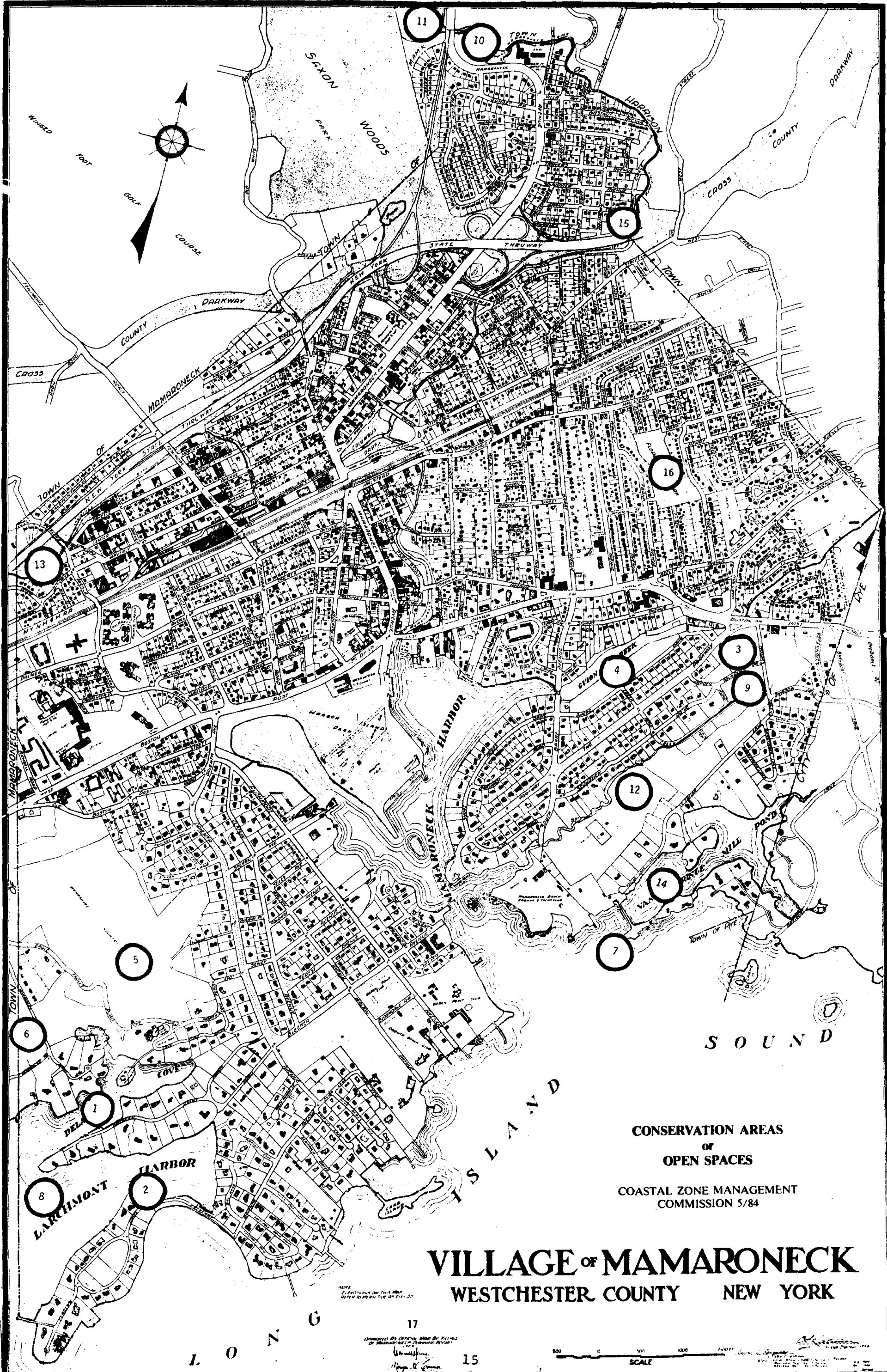
at least one (1)

(b) Natural Resources:

The Phase One Report inventoried open spaces in the Village. That inventory is included, and added to, in this document.

Conservation Areas or Open Spaces

1. Delancey Cove --Littoral zone and wetlands; shorebird and waterfowl concentration area; being considered by New York State for designated as a Significant Fish & Wildlife Habitat.
2. Greacen Point Marsh --Littoral zone and wetlands; shorebird and waterfowl concentration area; being considered by New York State for designation as a Significant Fish & Wildlife Habitat.
3. Ginsberg Hill (Fusco Property) --Upland wooded hill directly adjacent to (uphill, between) Guion Creek and Magid Pond; habitat of abundant, diverse resident, overwintering and migratory birds and wildlife, including several rare species; being considered by New York State for designation as a Significant Fish & Wildlife Habitat.
4. Guion Creek * --Tributary stream and major tidal wetlands; habitat for resident, overwintering and migratory waterfowl and birds; open space; empties into the head of the East Basin, Mamaroneck Harbor.
5. Hampshire Country Club * --Tidal and freshwater wetlands located here; open space and recreation; flood plains; highly sensitive drainage area with potential to impact the Hommocks Conservation Area.
6. Hommocks Conservation Area (portion within the Village of Mamaroneck) --Marsh, woodland, meadows; shorebird, waterfowl and upland bird nesting area; open space; environmental education; passive recreation.
7. Kirstein Cove/Buddenweiser Is./Pops Rocks --Littoral zone, tidal wetlands and mudflats; shorebird and waterfowl overwintering habitat; being considered by New York State for designation as a Significant Fish & Wildlife Habitat.
8. Larchmont Harbor (portion within the Village of Mamaroneck) --Littoral zone and wetlands; shorebird and waterfowl concentration area; being considered by New York State for designation as a Significant Fish & Wildlife Habitat.
9. Magid Pond (Freshwater Wetland) * --Freshwater wetlands; major habitat for resident, overwintering, and migratory waterfowl and birds; open space and winter recreation. Concentration of wildlife, including many rare species.
10. Mamaroneck Reservoir, Mamaroneck * --Flood control and water quality benefits.
11. Mamaroneck Reservoir, Harrison * --Consists of the larger portion of the Reservoir and has a major role in flood control on the Mamaroneck River. Also, it serves as a waterfowl habitat adjacent to Saxon Woods, a large



CONSERVATION AREAS
OF
OPEN SPACES

COASTAL ZONE MANAGEMENT
COMMISSION 5/84

VILLAGE OF MAMARONECK
WESTCHESTER COUNTY NEW YORK

NOTE: ELEVATIONS ON THIS MAP ARE BASED ON MEAN SEA LEVEL.

APPROVED AS OFFICIAL MAP BY RESOLUTION OF MAMARONECK TOWN BOARD

Map of Mamaroneck

SCALE 1" = 1000'

L O N G

17

15

County-owned park; water quality benefits.

12. Otter Creek Salt Marsh * --Tidal estuary, tidal wetlands; habitat for resident, overwintering, and migratory waterfowl, birds, fish, shellfish, and mammals; being considered by New York State for designation as a Significant Fish & Wildlife Habitat.

13. Rockland Avenue Thruway Pocket * --Low-lying vegetated area adjacent to Sheldrake River; flood buffer; waterfowl habitat.

14. Van Amringe Mill Pond * --Littoral zone; tidal wetlands; habitat for resident, overwintering, and migratory waterfowl, birds, fish, shellfish (major hardshell clam and oyster habitat); concentration of fish and waterfowl, including osprey.

15. Warren Avenue Conservation Area * -- Vegetative area serving as a natural buffer between the New England Thruway and adjacent residential property and, since it is traversed by the Mamaroneck River, it also provides a buffer for residential property in times of flood.

16. Florence Park * -- Formerly a freshwater wetland, now an open grassed park developed as a recreational site with playgrounds, tennis courts, sports playing fields.

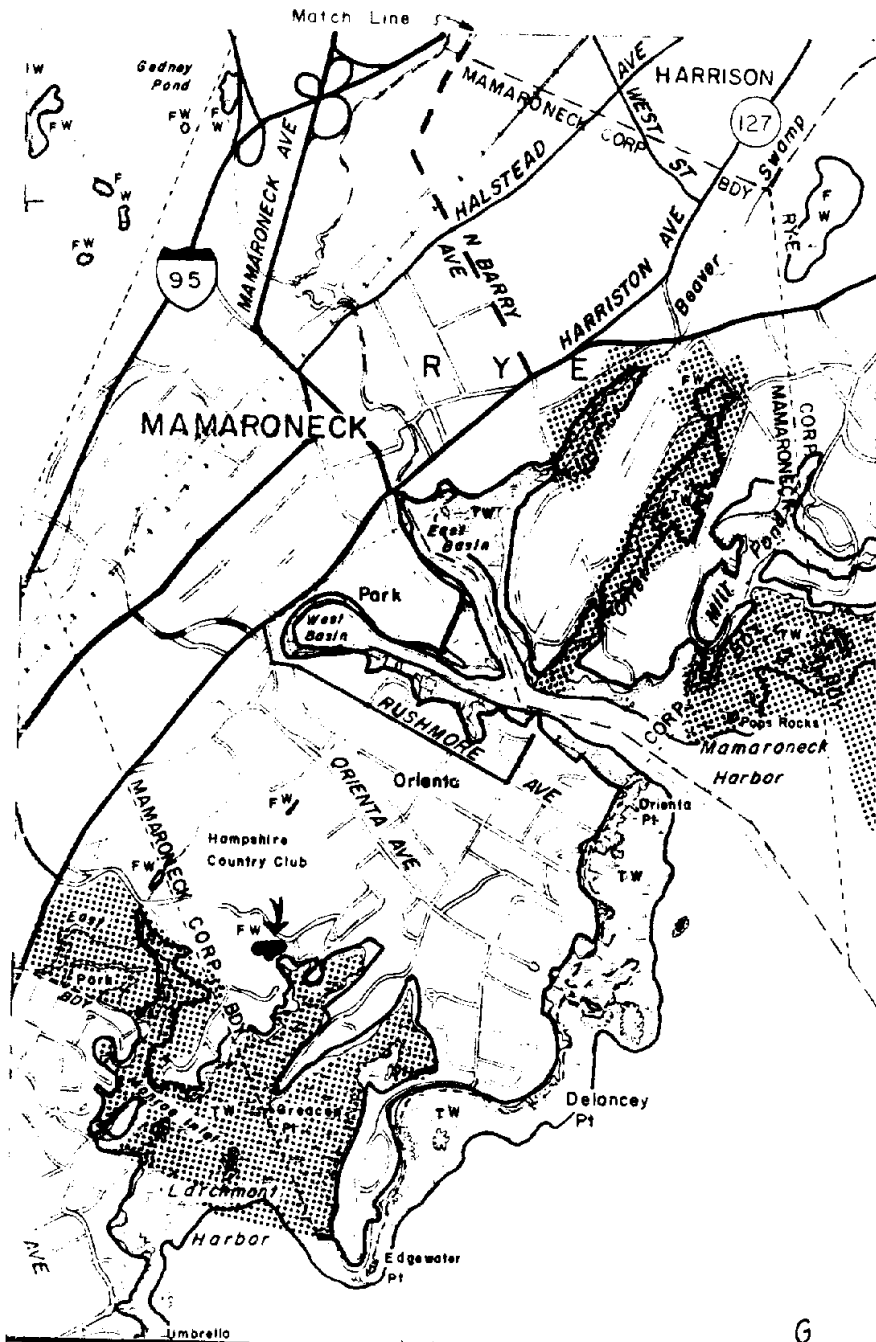
* From the Phase One Report of 1/81.

Two hundred and twenty-four species of birds have been identified in the vicinity of Ginsberg Hill, Magid Pond, Otter Creek, Van Amringe Millpond and Mamaroneck Harbor. Fourteen species are identified by New York State as either (a) Endangered; (b) Threatened; (c) of Special Concern, or (d) Vulnerable. The list is appended at the end of this section.

The Phase One Report proposed that six of the areas be designated by the Village as Critical Environmental Areas because of their unique and/or exceptional value. These were the Van Amringe Millpond, Otter Creek, Guion Creek, Magid Pond, the Mamaroneck Reservoir, and the Hampshire Country Club. The first four were proposed as CEAs because of the wetland/wildlife habitat values; the Mamaroneck Reservoir because of its value as a flood control mechanism; and the Hampshire Country Club because of its sensitive drainage. Five of the six areas were so designated. The Hampshire Country Club was not designated because a development application was pending on contiguous property. The report also recommended that Harrison be requested to designate its portion of the Mamaroneck Reservoir. The request was made but not acted on by Harrison.

Sites of Archeological Importance

Prehistoric and historic archeological remains may potentially exist in the Village. The Mamaroneck Harbor area has been designated as an archeologically sensitive area on the New York State Archeological Site Location Map. Inquiries regarding particular sites should be directed to the following:



Legend

- PRIME AGRICULTURAL SOILS
- PRIME FOREST LANDS
- WETLANDS
 - Tidal TW
 - Freshwater FW
- SIGNIFICANT FISH AND WILDLIFE HABITATS
- MINERAL AND FOSSIL FUEL DEPOSITS
 - Sand and Gravel S/G
 - Oil and Natural Gas O/NG
 - Other
- BEACHES
- UNIQUE TOPOGRAPHIC / GEOGRAPHIC FEATURES
- SCENIC VISTA
- COASTAL AREA BOUNDARY

Natural Resources Inventory



BASE MAP WC-II

Prepared: 12/78

Revised 9/83. FW IDENTIFIED BY ARROW WAS FORMERLY CONNECTED TO DELANCEY COVE & THERE IS EVIDENCE OF SEEPAGE THROUGH THE DAM AS WELL AS OCCASIONAL STORM SURGES OVER THE DAM.
Base Map Reference: USGS 8-501

Quadrangles Mount Vernon & Mamaroneck

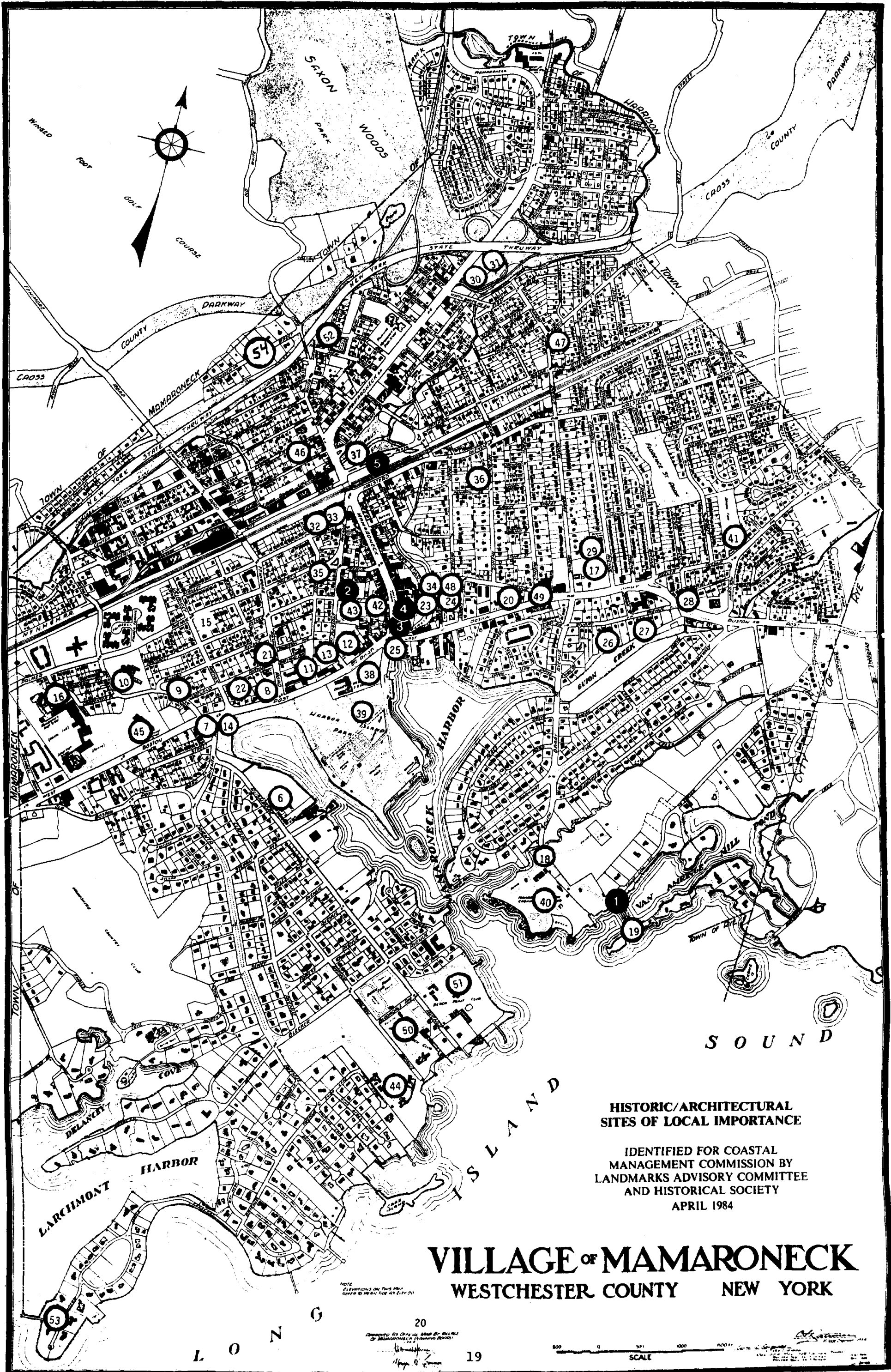
L O N G

the New York State Office of Parks, Recreation and Historic Preservation - Division for Historic Preservation (Albany); New York State Dept. of Environmental Conservation (Albany); or the U.S. Environmental Protection Agency, Region 2 Office (New York City).

Sites of Historic or Architectural Importance

Mamaroneck is a very old community, having first been settled by Europeans in 1661, and therefore has numerous sites of historic or architectural importance. The following list was prepared by the Mamaroneck Historical Society and the Village of Mamaroneck Landmarks Advisory Committee. Additional designations are pending before the LAC.

- *1. Old Mill (Deall Mill, later Van Amringe Mill)--1792
- *2. First Methodist Church (later the Old Town Hall, now the American Legion Building)--1845
- *3. 100 Mamaroneck Avenue (Eggers & Pope, Architects) --1930
- *4. Hook & Ladder Company Fire House--1902
- + **5. Mamaroneck Railroad Stationhouse--1888
- + 6. John Richbell Monument & Cemetery
7. Site of Disbrow House--1677
8. DeLancey House (Fenimore Cooper House)--1792
- + 9. Disbrow Cemetery
10. Site of Flandreau House
11. Site of Polycarpus Nelson House
- + **12. St. Thomas Church--1886; Parish House & former Endowment Bldgs.--1887
- + **13. John Flandreau Cottage ("Vue de L'Eau") Church Rectory--1867; Banta House (Staff)--1890
14. Site of First School House
- + 15. DeLancey Cemetery
- + 16. Florence & Powell Cemetery
17. Gedney Farmhouse - Circa 1800
18. The Gatehouse
19. Site of Deall's Dock
- ++ 20. United Methodist Church--1859
21. Site of Battle of Heathcote Hill--1776
22. Site of Heathcote Manor House (at Women's Club overlooking harbor)--c. 1702
23. Site of 18th Century Dam and Mill Pond
24. Site of "Closet Hall" of Fenimore Cooper
25. Old Village Square (Madison Square)
- + 26. Guion Cemetery
27. Old Town Dock of Rye--17th Century
28. Toll Gate House--1805
- + 29. Gedney Cemetery
- + 30. Later Gedney Cemetery
- + 31. Dingee Cemetery
32. Site of Depot School--1885
- + 33. Town Cemetery
- + 34. Tompkins Avenue Bridge ("Where the Salt Water Meets the Fresh")
35. Site of First Kindergarten--1901



**HISTORIC/ARCHITECTURAL
SITES OF LOCAL IMPORTANCE**

IDENTIFIED FOR COASTAL
MANAGEMENT COMMISSION BY
LANDMARKS ADVISORY COMMITTEE
AND HISTORICAL SOCIETY
APRIL 1984

VILLAGE OF MAMARONECK
WESTCHESTER COUNTY NEW YORK

NOTE
ELEVATIONS ON THIS MAP
ARE IN FEET UNLESS NOTED
OTHERWISE

DESIGNED BY
COPYRIGHT © 1984
BY
MAMARONECK HISTORICAL SOCIETY



- + 36. Melbourne Avenue Historic District (Old Rye Neck)
- + 37. Columbus Park Monument
- +** 38. Mamaroneck Project Building (Sewage Treatment Plant Tower & Administration) --1931
- 39. Harbor Island Park (Pavilion--1934; WPA Stonework & bldgs; Memorial Grove & Firemen's Memorial)
- + 40. Stanford White-designed gatehouse and stables (Mamaroneck Beach & Yacht Club) --1885
- ++ --Cottage Gatehouse
- 41. Daniel Warren Schoolhouse (Conrad Henne, Architect) --1930
- + 42. Mamaroneck Free Library--1927; Emelin Theatre--1972
- + 43. Mamaroneck Village Hall (Johnson Park & World War II Memorial)
- 44. Weatherbee Mansion (Westchester Day School)-- Circa 1880
- + 45. Old Central School (First High School)--1888
- 46. Strait Gate Church--1945; Rev. Martin Luther King Center
- + 47. Barry Avenue A.M.E. Zion Church--1903
- + 48. Holy Trinity Church--1885
- + 49. Tompkins Park (Memorial to World War I Veterans) with Milestone "23 Miles to N.Y. City"
- 50. Orienta Beach Club
- 51. Beach Point Club Mansion
- 52. St. Vito's Church--1930
- + 53. Satan's Toe--Site of Flagler Estate and D.W. Griffith Studio
- + 54. Highview Street Historic District

* Designated as an Historic Landmark by the Village of Mamaroneck Board of Trustees.

** Being considered for nomination to the National Register of Historic Places.

+ Being considered for designation under the local Historic Preservation Ordinance.

++ Recipient of Award from American Institute of Architects (Mid-Hudson Chapter) --1984.

NOTE: The Mamaroneck Project Plant (Sewage Treatment Tower and Administration Building) -- (#38) -- appears to meet the criteria for eligibility to both the State and National Register of Historic Places. In addition, the Village of Mamaroneck is seeking owner-permission to designate the Tower and Administration Building as a site of local historic/architectural significance under the local Historic Preservation Ordinance.

Resource Management: The major issue confronting these natural resources is land development. Land development, of course, brings money into the community, but the Village is

small (3.2 square miles); and after 150 years of building, nearly all open land has been developed. Pressure mounts to develop these natural resource areas as developable land becomes scarce. The goal of coastal management is to balance the need for development with the need for preservation. The natural resources identified in this inventory should be protected to the maximum extent possible.

Several Federal and State laws apply to many of Mamaroneck's natural resources. Federal laws (River and Harbor Act of 1899; Clean Water Act; and the Marine Protection, Research and Sanctuaries Act) establish protections through permit review processes which evaluate applications for dredging. Evaluation is based on factors affecting the public interest such as conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, and food production. State regulations include tidal and freshwater wetland land use regulations, the State Environmental Quality Review Act, and the Waterfront Revitalization and Coastal Resources Act. A summary of state regulations is appended at the end of this section.

Local means for managing these resources fall into six general categories: acquisition; zoning (conservation districts); limited easements or by ordinance (e.g. historic preservation ordinance); consistency with adopted policies (e.g. coastal management policies); local regulation (freshwater wetland law, local law adopting SEQR).

Harbor Island : Harbor Island is a 44-acre public park with a 700-ft saltwater beach, municipal docks and fishing floats, eight tennis courts, fitness trails, paddleball courts, and playgrounds which draw hockey, softball, football, soccer and lacrosse leagues as well as the general public, both resident and non-resident. Throughout the year, there are many concerts, carnivals and other recreational programs. In addition to Harbor Island, the Village also has 12 other parks in its 3.2 square miles. Recreation is the third largest expense in the Village budget, and it is also the greatest source of revenue for the Village other than property taxes.

The Phase One Report identified several issues concerning use of Harbor Island: revitalization of the park entranceway, bulkheading, traffic & parking, recreational uses, and night-lighting, as well as the anticipated expansion of the Sewage Treatment Plant. In addition, the Village-owned "Old Cement Dock" is underutilized and badly deteriorated.

Sewage Treatment Plant : Situated adjacent to the Boston Post Road at the entrance to Harbor Island Park is the

County-owned Sewage Treatment Plant, officially known as the "Mamaroneck Project Plant (Tower & Administration Building)." It processes sewage from the Mamaroneck Sewer District--a district whose boundaries coincide very nearly with the Mamaroneck/Sheldrake Drainage Basins and include 282 miles of sewer lines which traverse several different municipalities. The sewage receives primary treatment and is pumped through an underwater pipe out to the vicinity of Bell 42 off Milton Point where it is released into Long Island Sound.

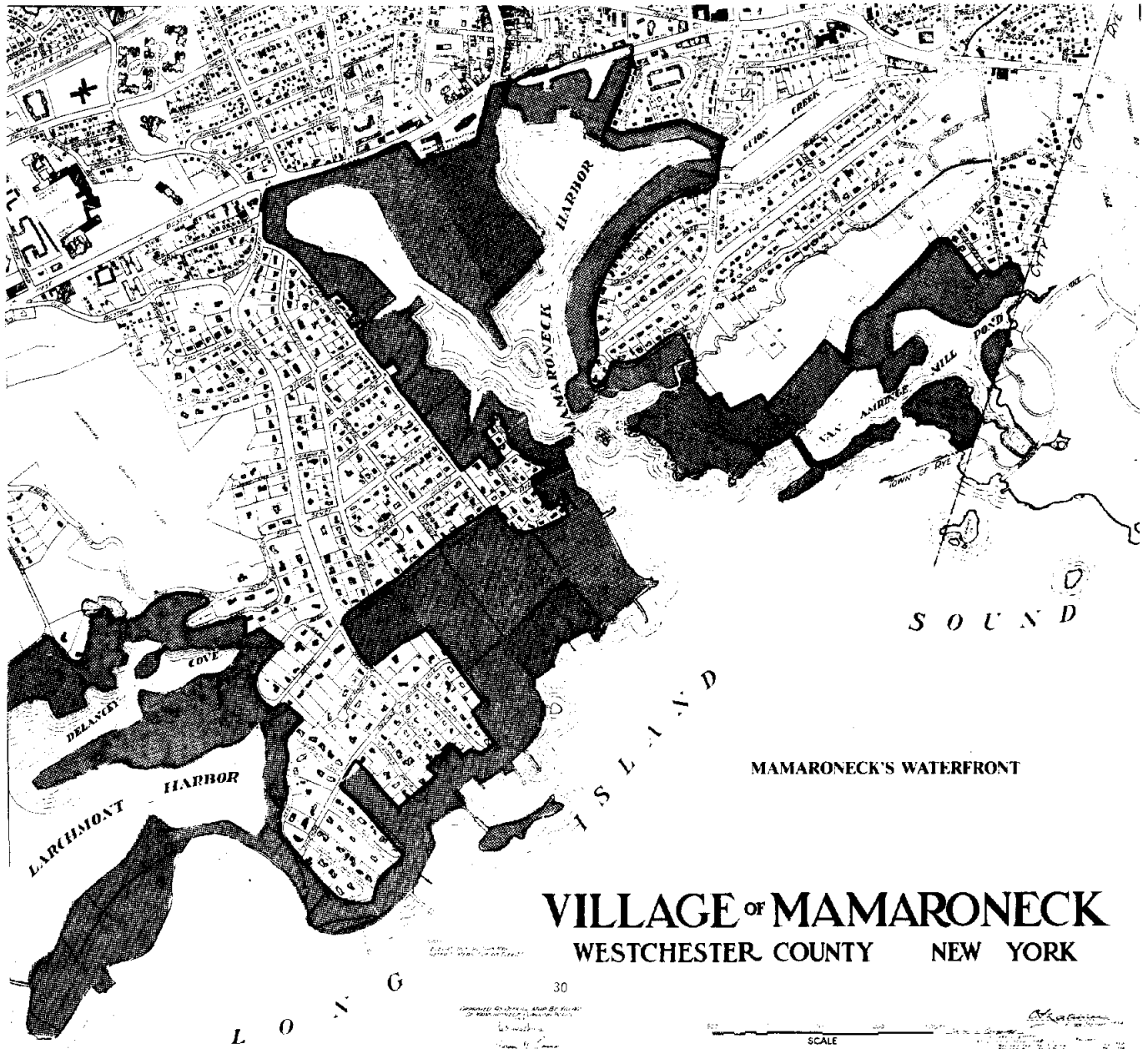
Federal water quality standards require that the plant be upgraded to secondary treatment. These standards should be met, without variance, in order to protect water quality in Long Island Sound.

Upgrading of the plant would require major reconstruction, which will have a major impact on the use of Harbor Island Park as well as call into question the future of the Tower and Administration Building, which have historic/architectural significance. Planning should be coordinated with the Village of Mamaroneck.

(c) Coastal Land Use

The Phase One Report noted that there exists a certain mix of water-dependent and non-water-dependent land uses along the Village's coast and, further, that several major water-dependent uses are not in conformance with the Zoning Ordinance. Work was done to assess the economic impact of the marine recreational industry, which was found to be very significant; and the report recommended that waterfront zoning be reviewed as a whole.

Water-dependent Uses : There is only a finite amount of coastline, and in the Village, it is already completely developed. Elsewhere in the State, the coast is rapidly being taken up, often for uses which do not require a waterfront location. As the number of available waterfront locations diminishes, the pressure increases to convert already-developed property to the most remunerative use. The recent history of waterfront real estate development in New Jersey, City Island, Long Island, Connecticut, Massachusetts, and Rhode Island demonstrates that the most financially remunerative use of waterfront property is either office buildings or condominiums. Neither of those land uses is dependent upon a waterfront location, and each substantially reduces or eliminates access to water-dependent recreation. Land uses which cannot exist without a waterfront location--and which are highly vulnerable to redevelopment pressures--include boatyards and beachclubs. Boatyards, with their summer dockage, winter storage, and repair services provide essential services to, and needed public access for, recreational boaters. Similarly, beachclubs, with their beaches and/or marinas, clubhouses, tennis courts, etc. and open spaces provide



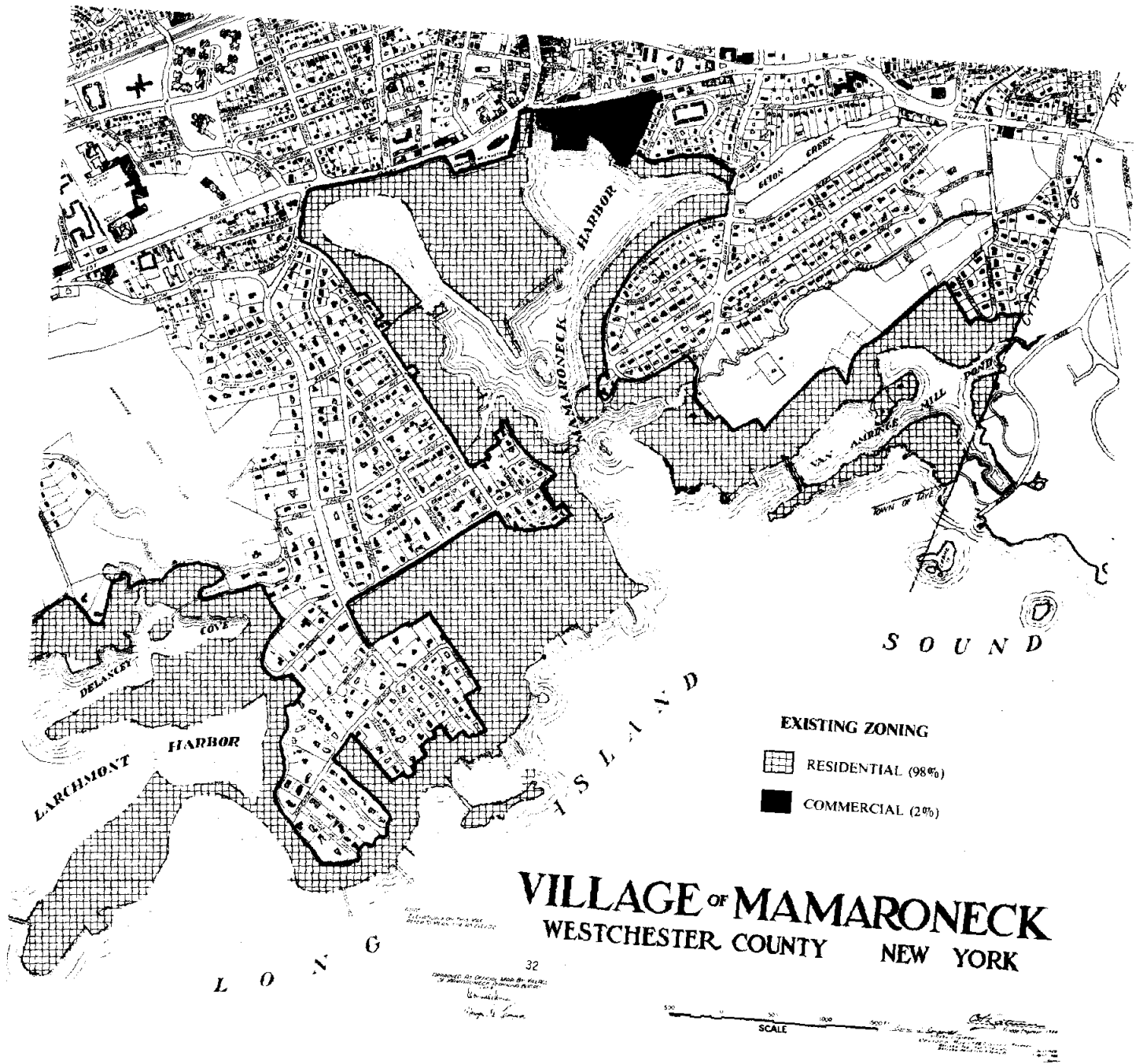
facilities and quasi-public access for large numbers of people seeking to enjoy Mamaroneck's waterfront.

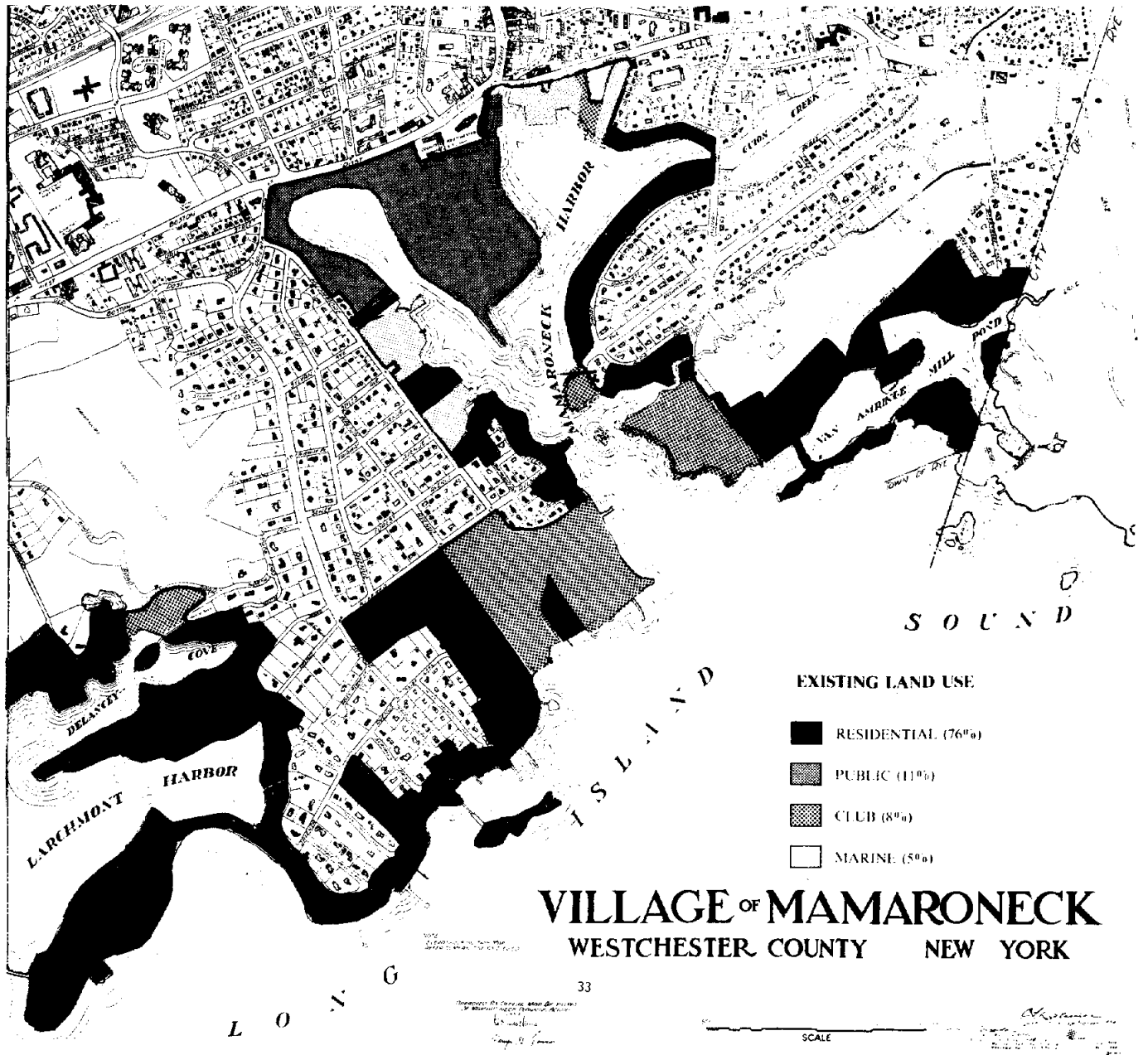
Balance of Coastal Uses : Boasting six major clubs and six boatyard facilities, Mamaroneck's waterfront is approximately nine miles long. Wise management of this tremendous resource is a major goal. The first step is to determine what is the present balance of water-dependent vs. non water-dependent uses. For this purpose, attention was given to that property which extends from the coastline (including underwater land grants) to the inland boundary of the first lot or lots owned by the same owner and put to the same use. This area was considered the minimum necessary for the purpose of identifying waterfront usage in a comprehensive manner and ascertaining the existing mixed balance of land uses. For ease of reference, the waterfront land necessary for determining the balance of uses is called the "marine zone."

The waterfront property which constitutes the marine zone is presently zoned 98% residential, and the remaining 2% is zoned commercial. Actual use of this land varies substantially from the zoning. Present usage is actually 76% residential, 11% public, 8% club, and 5% boatyard. All of the boatyards are non-conforming uses--three are non-conforming in a residential district and three are non-conforming in a commercial district. All of the clubs are Special Exception uses--five are special exception in a residential district and one is a special exception in a commercial district. "Special exception" designation imposes special restrictions. The publicly-owned (Village) property is almost entirely dedicated parkland, not available for residential use.

Economic Impacts : Redevelopment of land presently occupied by six boatyards and six clubs in conformance with present zoning would add approximately \$169,000 in additional tax revenue (infrastructure costs not deducted). However, the revenues could be gained only through the loss of the Village's marine recreational industry. It is estimated that the marine recreational industry (boatyards, clubs, and 20 associated inland marine businesses) generate a minimum of \$18 million in annual economic activity for the Village. (See Westchester County's Joint Dredge Maintenance Feasibility Study and comment of Robert Wardwell in LWRP Final Environmental Impact Statement.) Other factors include employment and public access.

Public Access : Recreational access to Long Island Sound is of three different types: (1) municipal parkland, beach, and marina; (2) commercial boayards; (3) quasi-public access through waterfront clubs. Each type of facility offers a somewhat different range of facilities. Municipal docks accommodate only small boats, mostly power; but the park offers tremendous passive waterfront access and the beach is the largest in the Village. Clubs offer a limited number of





facilities for a wider variety of watercraft as well as swimming and water-enhanced sports and social amenities. Commercial boatyards offer the most boating facilities to the greatest number of people, accommodating the widest variety of watercraft on a year-round basis as well as being the sole source of essential support services.

More than 10,000 people enjoy Mamaroneck's waterfront (figures incomplete). The ability to relocate this access is very restricted due to the existing level of development; therefore it is important that the present sources of access be preserved, promoted, and enhanced.

Benefits Compared:

<u>Redevelopment</u>	<u>Preserve Balance</u>
\$169,000 in taxes	\$18+ Million in
100 new families	local business
Four office bldgs on	300+ Local Jobs
E. Boston Post Rd.	10,000+ have Access

Immediate action should be taken to protect the marine economy and the present level of public access, ensure the future vitality of the harbor, and maximize the Village's coastal assets and opportunities. Amendment of the Zoning Ordinance to create a Marine Zone which preserves the present balance is an essential first step.

(d) Harbor Use

Harbor traffic was surveyed in 1980 and again in 1983 (copy appended at the end of this section). During the three-year period there was an 18% increase in harbor traffic with total boat trips of 3,928 in 1983. Traffic averaged three boats per minutes passing the same narrow point in the harbor. Occasional problems occurred when small sailboats without auxiliary power tacked back and forth across the channel, attempting ingress or egress against headwinds. But, in general, traffic was observed to move smoothly; and on the whole, the harbor is not congested.

In 1984, the Village managed mooring and docking arrangements for 1,430 boats and maintains a long waiting list. Direct fee revenue* to the Village from this activity was \$90,000. Thus, harbor activities not only contribute to the local business economy but also make a major contribution to municipal revenues. Given the results of the harbor traffic survey and the fact that demand for boating facilities is intense, consideration should be given to the feasibility of providing additional boating space.

[* Fees are based on permits and are revised from time to time. Permits are required in order to help achieve the following harbor management goals: keep the Village's

navigable waters in a sanitary and safe condition, make the best use of available mooring space, avoid congestion, avoid obstruction of the Federal channel, make mooring positions available with due regard for water depths and vessel drafts, and to afford ease of approach to and departure from a mooring with less danger of fouling and collision.]

Dry-sailed Vessels : Several hundred small boats (15-24 ft) are dry-sailed from various boatyards in the harbor. Dry-sailing is a desired use since it takes little upland space and serves the needs of a substantial portion of the recreational boating public. Dry-sailing should be encouraged within the height restrictions required by the Zoning Ordinance. Dry-sailed vessels should be subject to the same registration process and appropriate administrative fee as other vessels using the harbor.

Long-term Maintenance : Docks, seawalls, and Village-owned marine-related equipment are in need of ongoing maintenance. At present, repair or replacement is needed in many of these areas. Dredging is a regular costly need. Support should be given to the County's efforts to effect savings through intermunicipal cooperation in dredge maintenance and consideration should be given to setting aside each year for dredge work a certain sum of money. A capital fund is needed to fund immediate repairs and long-term maintenance.

Harbor Management : Long-range harbor preservation and enhancement should include provision for maintenance dredging, preservation of sea walls, public access, access to anchorage areas, compatible recreation programs, environmental concerns, the County Sewage Treatment Plant, compatible adjacent parks, expanded marine facilities, transient docking facilities, breakwaters, fishing wharfs, pump-out facilities.

With regard to the construction of marine structures on the waterfront, it appears advisable that consideration be given to a program for developing construction standards, which might include design specifications for the purpose of promoting public safety, health, and welfare.

These and other appropriate considerations should be reviewed by the Harbor Commission as part of an overall harbor management program to be prepared under their direction.

APPENDIX TO SECTION II ----- RESOURCE MATERIALS

1. Summary of Environmental Laws
2. Summary of Historic Preservation Ordinance
3. Summary of Sign Ordinance
4. Identification of Bird Species
5. Results of 1983 Harbor Traffic Survey
6. Map of Existing Land Uses
7. State Surface Water Classifications

STATE WETLAND REGULATIONS

(SUMMARY)

1. TIDAL WETLANDS and adjacent areas (as identified on maps in the Village Engineer's Office and available from the N.Y. Dept. of Environmental Conservation, New Paltz) have been found to be vital and productive areas. Extensive tidal wetlands have been identified in the Village of Mamaroneck, most notably Otter and Guion Creeks and others near the Larchmont border. Environmental Conservation Law Sec. 25-0302 and NYCRR Part 661 regulate development in tidal wetlands and adjacent areas. Standards for issuance of permits are detailed in NYCRR Sec. 661.1. Special conditions may be required or variances granted under special circumstances. Permits may be issued, denied, or revoked. Provision is made for enforcement and penalties.

2. FRESHWATER WETLANDS and adjacent areas (as identified on map on file in the Village Engineer's Office and available from DEC, New Paltz) have been found to be vital and productive areas. Only one freshwater wetland has been identified in the Village--Magid Pond--but it is classed as a one of the most valuable in the State. State regulations are in the process of amendment for the purpose of turning over implementation of these regulations to local government. At time of writing, ECL Sec. 24-0301 and 24-0501 and NYCRR Part 663 provide for preservation of freshwater wetlands, while standards for issuance of permits are detailed in NYCRR Sec. 663.4 and 663.5. At present, ECL Sec 24-0501, in conjunction with Local Law No. 1-1977 provide for local implementation. If implementation is turned over to Mamaroneck, all permit authority would reside with the Planning Board.

STATE ENVIRONMENTAL QUALITY REVIEW ACT

(SUMMARY)

Environmental Conservation Law Sec. 8-0113 and NYCRR Part 617 provide for an environmental review process whereby all agencies of government conduct their business with an awareness that they have an obligation to protect the environment for this and future generations. The law is known as SEQRA, and its basic purpose is to incorporate consideration of environmental factors into the planning, review, and decision-making process of the State and local government agencies at the earliest possible time. The law requires that the protection and enhancement of the

environment and community resources be given appropriate weight with social and economic considerations in the formulation of public policy. Basically, SEQOR calls for environmental review of actions before such actions are approved. It also allows local governments to designate certain areas within their boundaries as Critical Environmental Areas.

NYCRR Sec. 617.11 establishes criteria for determining if an action may have a significant effect on the environment. NYCRR Sec. 617.12 and .13 define what actions are presumed to have a significant effect and what are not presumed to have such an effect. Applicants must file an Environmental Assessment Form with their application answering questions which indicate whether an action may affect the environment. The government agency with the power to make the final decision on the application is defined as the "lead agency" and that agency must decide whether or not to have an environmental review. If it is determined that the actions will not have a significant effect on the environment, then that agency causes a negative declaration to be issued. If it is found that the action may have a significant effect, then an environmental review is required.

NYCRR Sec. 617.11 sets forth criteria for determining whether or not an action may have a significant effect on the environment. These criteria include the following:

- (1) Substantial adverse changes in air quality, water quality, noise levels, or solid waste products;
- (2) Erosion, flooding, and drainage problems;
- (3) Destruction of vegetation or fauna;
- (4) Interference with wildlife species;
- (5) Effects on the habitat areas of threatened or endangered species;
- (6) Assembly of large numbers of people for more than a few days;
- (7) Impairment of important historical/ archeological/architectural or aesthetic resources;
- (8) Change in the use of land or other natural resources;
- (9) Cumulative impact where more than one element is affected and together the effect is substantially adverse.

NYCRR Sec. 617.12 lists those types of projects (Type I) which are most likely to have a significant effect on the

environment and therefore to require an environmental impact statement. NYCRR Sec. 617.13 lists those types of projects (Type II) which have already been determined not to have a significant effect and do not require environmental impact statements. Unlisted actions may or may not have a significant effect on the environment and may or may not require an environmental impact statement.

In determining what land areas or what applications are covered, it should be noted that any action within or contiguous to an historic or prehistoric site or any project which occurs wholly or partly within (or substantially contiguous to) a public park or designated open space or in a Critical Environmental Area is determined to be a Type I project and presumed to have a significant effect on the environment. However, determination to require an environmental review for Type I actions is not mandatory but is left up the discretion of the lead agency.

Upon completion of an environmental review, an agency is required (under NYCRR Sec. 617.9) to make a written finding stating that--from the reasonable alternatives considered--the action to be approved is the one which minimizes to the maximum extent practicable any environmental harm. This must be done before the action can be approved.

HISTORIC PRESERVATION ORDINANCE - LOCAL LAW No. 9-1982

(SUMMARY)

This law provides for the creation of preservation districts, and protected sites and structures. It establishes a Landmarks Advisory Committee, members to be appointed by the Village Board of Trustees and empowered to make recommendations to the Village Board for designations of such districts, sites, and structures.

Designations are made by the Village Board following the owner's permission, review by appropriate boards, and public hearing; and following a determination by the Village Board that the district, site or structure meets one or more of the following criteria: (1) is associated with persons or events of historic significance; (2) illustrates historic development; (3) embodies distinctive architectural or artistic qualities, or (4) possesses unique overall architectural quality. Special provisions apply to interiors of buildings.

Districts, sites and structures designated for protection may not be materially changed in appearance without a Certificate of Appropriateness from the Board of Architectural Review. Such certificates can be issued if the BAR determines that the change will be consistent with the intent and purpose of this ordinance. Applicants can appeal a BAR decision in cases of substantial hardship. Various remedial actions are available to alleviate hardships. Violations are subject to specific penalties (cash and/or confinement).

SIGN ORDINANCE

(SUMMARY)

This law regulates the erection and maintenance of outdoor advertising, displays, signs and awnings by providing that permits must be obtained from the Building Inspector. Applications to erect, construct, paint, alter, relocate, reconstruct, display or maintain signs or awnings are to be filed with the Building Inspector, who submits them to the Board of Architectural Review. Upon approval by the BAR, permits may be issued providing the sign or awning meets the provisions of the ordinance. Different restrictions are placed on signs in residential districts, business districts, and industrial districts. Special restrictions apply to projecting signs, lighted signs, and to temporary signs or banners. There are general provisions regarding safety as well as procedures for variances, appeals, and penalties.

SIGHTINGS OF BIRDS 1977-1985. Vicinity of Guion Creek, Magid Pond, Mamaroneck Harbor, Otter Creek and the Van Amringe Mill Pond. Total of 225 species.

NOTE: New York State recognizes rare species as either (A) Endangered; (B) Threatened; (C) Special Concern; or (D) Vulnerable. Fifteen rare species have been identified in the Village of Mamaroneck.

Common Loon	Gadwall
Red-throated Loon	American Wigeon
	Canvasback
Horned Grebe	Greater Scaup
Pied-billed Grebe	Lesser Scaup
Red-necked Grebe	Oldsquaw
	Common Goldeneye
Double-crested Cormorant	Bufflehead
Great Cormorant	Hooded Merganser
	Common Merganser
American Bittern	Red-breasted Merganser
(C) - Least Bittern	Ruddy Duck
Great Blue Heron	
Great Egret	(A) - Bald Eagle
Snowy Egret	Turkey Vulture
Cattle Egret	(B) - Osprey
Tricolored Heron	Northern Harrier
Green-backed Heron	Sharp-shinned Hawk
Black-crowned Night-Heron	Cooper's Hawk
Yellow-crowned Night-Heron	Broad-winged Hawk
	Red-tailed Hawk
Glossy Ibis	Red-shouldered Hawk
	Rough-legged Hawk
Tundra Swan	American Kestrel
Mute Swan	Merlin
Snow Goose	Peregrine Falcon
Brant	
Canada Goose	Ring-necked Pheasant
Wood Duck	
Green-winged Teal	Clapper Rail
American Black Duck	Virginia Rail
Mallard	Sora
Northern Pintail	Purple Gallinule
Blue-winged Teal	Common Moorhen
Northern Shoveler	American Coot

SIGHTINGS OF BIRDS 1977-1985 (Total 225 Species) Continued

Black-bellied Plover	Red-bellied Woodpecker
Semipalmated Plover	Red-headed Woodpecker
Killdeer	Yellow-bellied Sapsucker
Greater Yellowlegs	Downy Woodpecker
Lesser Yellowlegs	(D) - Hairy Woodpecker
Solitary Sandpiper	Northern Flicker
Spotted Sandpiper	
Semipalmated Sandpiper	Olive-sided Flycatcher
Least Sandpiper	Eastern Wood-Pewee
Pectoral Sandpiper	Acadian Flycatcher
Ruddy Turnstone	Alder Flycatcher
Sanderling	Willow Flycatcher
Dunlin	Least Flycatcher
Short-billed Dowitcher	Eastern Phoebe
Common Snipe	Great Crested Flycatcher
American Woodcock	Eastern Kingbird
Laughing Gull	Horned Lark
Little Gull	
Bonaparte's Gull	Purple Martin
Ring-billed Gull	Tree Swallow
Herring Gull	Northern Rough-winged
Lesser Black-backed Gull	Swallow
Great Black-backed Gull	Bank Swallow
Black-legged Kittiwake	Cliff Swallow
	Barn Swallow
Black Skimmer	
(B) - Common Tern	Blue Jay
	American Crow
Mourning Dove	Fish Crow
Rock Dove	
	Black-capped Chickadee
Common Barn Owl	Tufted Titmouse
Eastern Screech-Owl	Red-breasted Nuthatch
Long-eared Owl	White-breasted Nuthatch
Northern Saw-whet Owl	Brown Creeper
Snowy Owl	
	Carolina Wren
(D) - Ruby-throated Hummingbird	House Wren
Belted Kingfisher	Winter Wren
(C) - Common Nighthawk	(C) - Marsh Wren
Chimney Swift	

SIGHTINGS OF BIRDS 1977-1985 (Total 225 Species) Continued

Golden-crowned Kinglet	Chestnut-sided Warbler
Ruby-crowned Kinglet	Magnolia Warbler
Blue-gray Gnatcatcher	Cape May Warbler
	Black-throated
Gray Catbird	Blue Warbler
Northern Mockingbird	Black-throated
Brown Thrasher	Green Warbler
	Blackburnian Warbler
Veery	Pine Warbler
Eastern Bluebird	Prairie Warbler
Gray-cheeked Thrush	Palm Warbler
Hermit Thrush	Bay-breasted Warbler
Swainson's Thrush	Blackpoll Warbler
Wood Thrush	Black-and-white Warbler
American Robin	American Redstart
	Ovenbird
Water Pipit	Northern Waterthrush
	Louisiana Waterthrush
Cedar Waxwing	Common Yellowthroat
	Hooded Warbler
Loggerhead Shrike	Wilson's Warbler
	Canada Warbler
European Starling	Yellow-throated Warbler
	Yellow-rumped Warbler
White-eyed Vireo	Yellow-breasted Chat
Solotary Vireo	
Yellow-throated Vireo	Summer Tanager
Warbling Vireo	Scarlet Tanager
Philadelphia Vireo	
Red-eyed Vireo	Northern Cardinal
	Evening Grosbeak
Blue-winged Warbler	Rose-breasted Grosbeak
Tennessee Warbler	Blue Grosbeak
Nashville Warbler	Indigo Bunting
Northern Parula	Dickcissel
(D) - Yellow Warbler	

SIGHTINGS OF BIRDS (Total 225 Species)

Continued

- Rufous-sided Towhee
- American Tree Sparrow
- Chipping Sparrow
- Field Sparrow
- (C) - Vesper Sparrow
- Lark Sparrow
- Savannah Sparrow
- (D) - Sharp-tailed Sparrow
- (D) - Seaside Sparrow
- Fox Sparrow
- Song Sparrow
- Lincoln's Sparrow
- White-throated Sparrow
- White-crowned Sparrow
- Swamp Sparrow
- Dark-eyed Junco
- Snow Bunting

- Bobolink
- Red-winged Blackbird
- (D) - Eastern Meadowlark
- Rusty Blackbird
- Common Grackle
- Brown-headed Cowbird
- Orchard Oriole
- Northern Oriole

- Purple Finch
- House Finch
- Common Redpoll
- Pine Siskin
- American Goldfinch

- House Sparrow

HARBOR TRAFFIC STUDY - SUMMER 1983

(SUMMARY)

The purpose of this study was to determine growth in boat traffic since the harbor traffic study of 1980, as well as to determine the maximum number of boat trips and whether the harbor and channels continue to accommodate the existing traffic safely. Twenty-seven one-hour boat counts were made on weekends and holidays at times one could expect a high degree of boating activity. These counts were made by Warren and Mildred Warnecke--taken from a position S.E. of Red Nun Buoy #12, which is the narrowest point of the harbor channel at the dividing line between the inner and outer harbor limits.

All boats either leaving or entering Mamaroneck Harbor were counted, and the total count was broken down into three categories of boat types: sail, power, other. The last category included canoes, dinghies, tenders, kayacs--any craft paddled, rowed or tethered and hauled.

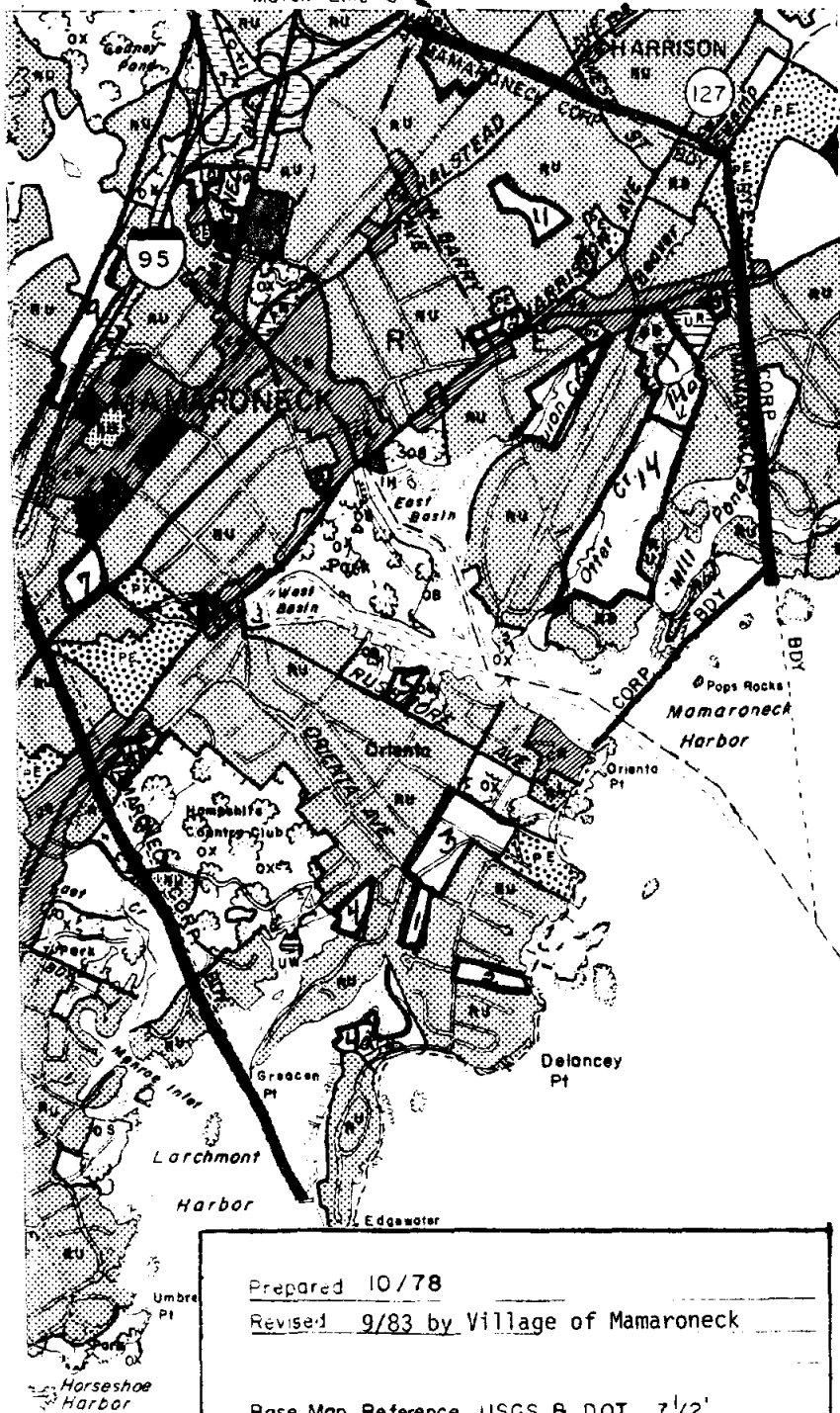
Except when sailboards crossed the channel at right angles on an offshore breeze, traffic moved smoothly; and only on occasion was it observed to be congested--when four boats moved abreast in a channel "squeezed" by low tide.

Summary of 27 One-Hour Counts:

	<u>1983</u>	<u>1980</u>	<u>Increase</u>
Total Number of Boats Counted	3,928	3,339	598 (17.6%)
Overall Average Per Hour	145.5	123.7	21.8 (17.6%)
Overall Average Per Minute	2.43	2.06	.37(17.9%)

Comparison of 1980 with 1983 shows an increase in number of boats to be approximately 18% over the three-year period. The breakdown into categories was not addressed in the 1980 survey; however, it should be noted that of the overall 1983 total (3,928), power boats (2,661) accounted for 68% while sailboats (1,109) accounted for 28% of the total. The remaining 4% were "other." Power-boating outnumbered sailboating by more than two to one.

Match Line

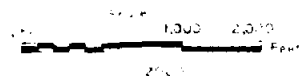


Legend

	AGRICULTURE Orchards & Vineyards High Intensity Cropland Other Cropland Other Agriculture	AO AT AC AX
	FOREST Forest Land Forest Brushland	F FB
	RESIDENTIAL Urban Hamlet Rural Shoreline Development	RU RR RS RX
	COMMERCIAL General Commercial Resorts	CC CR
	PUBLIC & SEMI-PUBLIC INSTITUTIONS & FACILITIES Educational Medical & Health Other	PE PH PA
	INDUSTRIAL Light Heavy Oil & Gas Storage	IL IH IS
	EXTRACTIVE Shaft Mining Open Pit, Quarries Oil, Gas, Sulphur & Other Wells	EE EO EW
	RECREATION Beaches & Pools Camping Areas Marinas & Boat Launching Sites Other Recreational Uses	RE RI RB RX
	TRANSPORTATION Airports & Related Facilities Railway Facilities Water Transport Facilities Other Transportation Facilities	TA TR TW TX
	UTILITIES & COMMUNICATIONS Electric Generation & Transmission Gas & Oil Transmission Water Treatment & Transmission Sewage Treatment Solid Waste Other Facilities	UF UG UW US UR UX
	VACANT	
	COASTAL AREA BOUNDARY	

Legend (S) State (P) Other Public (V) Private (O) Other

Existing Land & Water Uses



BASE MAP WC-II

Prepared 10/78
 Revised 9/83 by Village of Mamaroneck
 Base Map Reference: USGS & DOT 7 1/2'
 Quadrangles Mount Veron & Mamaroneck
 40

NEW YORK STATE COASTAL ATLAS MAP -- EXISTING LAND & WATER USES

(Revised May 1984)

1. Residential (RU)
2. Vacant
3. Vacant
4. Vacant
- 4a. Vacant
- 4b. Residential (RU)
5. Residential (RU)
6. Vacant
7. Public/Semi-Public Institutions (PH)
8. Public/Semi-Public Institutions (PX-Church)
9. Vacant
10. Public/Semi-Public Institutions (PE)
11. Recreation (OX--Village Park)
12. Public/Semi-Public Institutions (PE)
13. Recreation (OX--Village Wetland)
14. Recreation (OX--The Nature Conservancy)
- 14a. Vacant
15. Agriculture (AC)

SURFACE WATER CLASSIFICATIONS*
Village of Mamaroneck

<u>Water Body</u>	<u>Classification</u>	<u>Best Usage</u>
Mamaroneck Reservoir	A	Water Supply
Mamaroneck River	D	Secondary Contact Recreation
Sheldrake River	D	Secondary Contact Recreation
Guion Creek/Beaver Swamp Brook	D	Secondary Contact Recreation
Gedney Pond	C	Fishing and Secondary Contact Recreation
Otter Creek/Magid Pond	I	Secondary Contact Recreation
Van Amringe Mill Pond	I	Secondary Contact Recreation
Mamaroneck Harbor	SB	Primary and Secondary Contact Recreation

*Based on New York State Coastal Management Program Coastal Atlas Map, 1978

STATE CLASSIFICATIONS AND STANDARDS FOR FRESH SURFACE WATERS
IN THE VILLAGE OF MAMARONECK

Classification	Best Usage	Conditions of Best Usage	DISSOLVED OXYGEN STANDARDS					COLIFORM STANDARD ¹					RADIOACTIVITY STANDARDS			
			Trout Waters		Non Trout Waters			Monthly Median Value	80% of Sample	Monthly Geometric Mean	pH	Total Dissolved Solids	Phenolic Compounds	Gross Beta	Radium 226	Strontium 90
			Trout Waters Spawning	Min. Daily Average	Min. Daily	Min. Average	Min.									
Class A	Water supply for drinking or food processing	Waters will meet Health Department standards for drinking water with approved treatment	7 mg/l	6 mg/l	5 mg/l	5 mg/l	4 mg/l	Less than 5000/100ml coliforms	Less than 20,000/100ml coliforms	Less than 200/100ml fecal coliforms	6.5-8.5	As low as practicable. Less than 500 mg/l	Less than 0.005 mg/l (phenol)	Less than 1000pc/l (in absence of Sr ⁹⁰ and alpha emitters)	Less than 3pc/l	Less than 10pc/l
Class C	Fishing and other uses except water supply, food processing and primary contact recreation	--	7 mg/l	6 mg/l	5 mg/l	5 mg/l	4 mg/l	--	--	Less than ² 10,000/100ml coliforms & 2000/100ml fecal coliforms	6.5-8.5	None detrimental to aquatic life. Waters currently less than 500 mg/l shall remain below this limit.	--	--	--	--
Class D	Secondary contact recreation. Waters are not suitable for propagation of fish	Waters must be suitable for fish survival	--	--	--	--	3 mg/l	--	--	--	6.0-9.5	--	--	--	--	--

- NOTES:
- 1) A minimum of five examinations are required.
 - 2) Standard to be met during all periods of disinfection.
 - 3) Additional standards applicable to the above classifications: Turbidity-no increase that will cause a substantial visible contrast to natural conditions; Color-None from man-made sources that will be detrimental to the anticipated best usage of waters; Suspended, colloidal or other solids-None from any waste discharge which will cause deposition to the best usage of water; Oil and floating substances-No residue attributable to a waste discharge nor visible oil film nor globules of grease; Taste and odor-producing substances, toxic wastes and deleterious substances-None that will be injurious to fish life or which will adversely affect the flavor, color or odor, thereof, or impair the waters for the specified best usage of water; Thermal discharges-No discharge which will be injurious to fish life or to make the waters unsafe or unsuitable for any classified use.
 - 4) With reference to certain toxic substances affecting fish life, the establishment of any single numerical standard for waters of New York State would be too restrictive. There are many waters, which because of poor buffering capacity and composition will require special study to determine safe concentrations of toxic substances. However, most of the non-trout waters near industrial areas in this state will have an alkalinity of 80 milligrams per liter or above. Without considering increased or decreased toxicity from possible combinations, the following may be considered as safe stream concentrations for certain substances to comply with the above standard for this type of water. Water of lower alkalinity must be specifically considered since the toxic effect of most pollutants will be greatly increased. Ammonia or Ammonium Compounds-Not greater than 2.0 milligrams per liter expressed as NH₃ at pH of 8.0 or above; Cyanide-Not greater than 0.1 milligrams per liter expressed as CN; Ferro or Ferricyanide-Not greater than 0.4 milligrams per liter expressed as Fe(CN)₆; Copper-Not greater than 0.2 milligrams per liter expressed as Cu; Zinc-Not greater than 0.3 milligrams per liter expressed as Zn; Cadmium-Not greater than 0.3 milligrams per liter expressed as Cd.
 - 5) -- Indicates no standard provided.
 - 6) Source: 6 NYCRR Part 701, Classifications and Standards of Quality and Purity.

STATE CLASSIFICATIONS AND STANDARDS FOR SALINE SURFACE WATERS
IN THE VILLAGE OF HAMARONECK

Classi- fication	Best Usage	Conditions of Best Usage	DISSOLVED OXYGEN STANDARDS				COLIFORM STANDARD ¹					RADIOACTIVITY STANDARDS			
			Trout Waters		Non Trout Waters		Monthly Median Value	80% of Sample	Monthly Geometric Mean	pH	Total Dissolved Solids	Phenolic Compounds	Gross Beta	Radium 226	Strontium 90
			Trout Waters Spawn- ing	Min. Daily Average	Min. Daily Average	Min.									
Class SB	Primary and secondary contact recreation and other uses except shellfishing for market purposes	--	--	--	--	5 mg/l	Less than ² 2400/ 100ml coliforms	Less than ² 5000/ 100ml coliforms	Less than ² 200/100ml fecal coliforms	Normal range not to be extended by more than 0.1 unit	--	--	--	--	--
Class I	Secondary contact recreation and other uses except for primary contact recreation and shell-fishing for market purposes	--	--	--	--	4 mg/l	--	--	Less than ² 10,000/ 100ml coliforms; extended less than 2000/100ml fecal unit coliforms	Normal range not to be by more than 0.1 unit	--	--	--	--	--

NOTES:

- 1) A minimum of five examinations are required.
- 2) Standard to be met during all periods of disinfection.
- 3) Additional standards applicable to the above classifications: Garbage, cinders, ashes, oils, sludges or other refuse - None in any waters of the marine district as defined by Environmental Conservation Law (17-0105); Turbidity-no increase that will cause a substantial visible contrast to natural conditions; Color-None from man-made sources that will be detrimental to the anticipated best usage of waters; Suspended, colloidal or other solids-None from any waste discharge which will cause deposition to the best usage of water; Oil and floating substances-No residue attributable to a waste discharge nor visible oil film nor globules of grease; Taste and odor-producing substances, toxic wastes and deleterious substances - None in amounts that will interfere with use for primary contact recreation (Class SB) or secondary contact recreation (Class I) or be injurious to edible fish or shellfish or the culture or propagation thereof or which adversely affect the flavor, color, odor or sanitary condition, or impair the waters for any other best usage as determined for the specific waters assigned to the class. Thermal discharges - No discharge which will be injurious to fish life or to make the waters unsafe or unsuitable for any classified use.
- 4) For Class I waters, the monthly geometric mean fecal coliform value shall not exceed 2000/100 ml from a minimum of five examinations when disinfection is practiced.
- 5) -- Indicates no standard provided.
- 6) Source: 6 NYCRR Part 701, Classifications and Standards of Quality and Purity.

SECTION III

WATERFRONT REVITALIZATION PROGRAM POLICIES

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Policy 15. Not applicable.	
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General

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 this Village have established to protect valuable coastal resource areas.....	59
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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	
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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..... 59

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..... 59

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. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses..... 60

Policy 22. 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. In the Village of Mamaroneck, this also applies to re-development of waterfront property..... 61

Policy 23. Protect, enhance and restore structures, districts, areas, or sites that are of significance in the history, architecture, or archeology or culture of the Village of Mamaroneck..... 61

Scenic Quality Policies

Policy 24. Not applicable.

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Agricultural
Lands Policy (#26). Not applicable.

Energy and Ice
Management Policies

Policy 27. Not included.

Policy 28. Not applicable.

Policy 29. Not included.

Water and Air Resources Policies

Policy 30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, and sewage, into coastal waters will conform to State and National water quality standards..... 63

Policy 31. State coastal area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint..... 63

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..... 64

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..... 64

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..... 65

- 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..... 65
- Policy 37. Best Management Practices will be utilized to minimize the nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters..... 65
- 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..... 66
- 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..... 66
- 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..... 67

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 SEQR. 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.

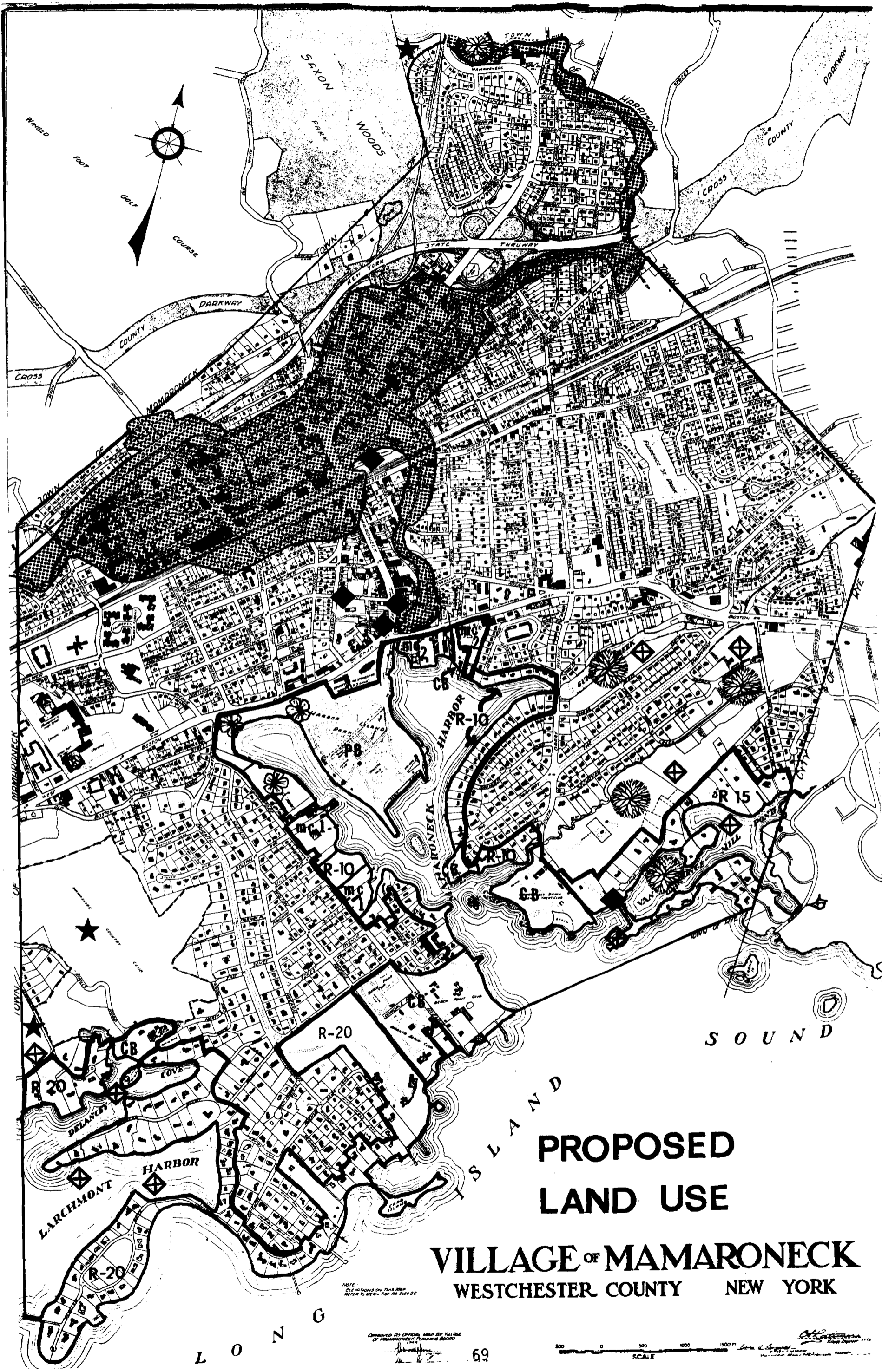
Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the New York State Freshwater Wetlands Act and the New York Protection of Waters Act. There is one State-identified freshwater wetland in the Village--Magid Pond. 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.)

SECTION IV
PROPOSED LAND AND WATER USES
AND PROPOSED PROJECTS



**PROPOSED
LAND USE**

**VILLAGE OF MAMARONECK
WESTCHESTER COUNTY NEW YORK**

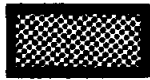
NOTE: ELEVATIONS ON THIS MAP REFER TO MEAN SEA LEVEL

APPROVED AS OFFICIAL MAP BY BOARD OF MAMARONECK TOWN BOARD

SCALE 0 500 1000 1500 FT

L O N G

KEY for PROPOSED LAND USE MAP:



RIVERINE FLOOD HAZARD AREA



MAJOR HISTORIC SITES



SCENIC VISTAS (PROPOSED)



LANDS ALREADY DESIGNATED UNDER LOCAL LAW AS
"CRITICAL ENVIRONMENTAL AREAS"



SIGNIFICANT FISH & WILDLIFE HABITATS



PROPOSED CRITICAL ENVIRONMENTAL AREAS

MARINE ZONE/PROPOSED WATERFRONT LAND USE:

PB	--	PUBLIC
CB	--	CLUB
MC-1	--	MARINE COMMERCIAL-1
MC-2	--	MARINE COMMERCIAL-2
R-10	--	RESIDENTIAL @ 10,000 sq ft/lot
R-15	--	RESIDENTIAL @ 15,000 sq ft/lot
R-20	--	RESIDENTIAL @ 20,000 sq ft/lot

Except as provided by the following plans, the land and water uses are as provided for by existing zoning. (See Zoning Map at end of this section.)

Public Access Plan:

A public access plan has been developed to implement state and local policies, especially Policies #1, 2, 4, 6, 9, 10, 19, 20, 21, and 22. As an integral part of the Public Access Plan, a marine zone is proposed for the waterfront area of the Village for the principal purposes of facilitating water-dependent uses, strengthening the economic base of the Village by encouraging the water-related recreation for which our harbor is justly famous and the marine business activities generated by such recreational use, and ensuring public access to coastal resources.

The existing balance of land uses on the Village's coast is desirable because of the level of water-dependent uses and public access. The Village's waterfront is a precious asset which is not indestructable--indeed it is fragile. The public access plan, and the marine zone, are necessary to enhance the character of the Village and preserve the harmonious use of the Village's coastal land.

It is recommended that the Village Board amend the Zoning Ordinance in order to achieve these above-stated purposes. While it is essential to the preservation of the Village's coastal assets that the above-identified goals be achieved through appropriate amendment to the zoning ordinance, the precise wording which appears in the Implementation Section is intended to serve as a guideline. In addition, it should be noted that the zoning changes proposed are intended to be the minimum necessary to achieve the purpose. In conjunction with the amendment of the zoning ordinance as herein described, the Ordinance should also be reviewed by the Village Board to identify any potential inconsistencies.

1. Amend the Zoning Ordinance of the Village of Mamaroneck to create a Marine Zone. In order to identify and preserve a desirable balance of coastal land uses, this Marine Zone would include the entire coastline of the Village and would extend from the Village waterside limits (mean high tide mark), but also including any underwater land grants, to the back of the first lot or lots currently owned by the same owner and put to the same use, with the single exception that in the area of the East Boston Post Road commercial waterfront for the purpose of allowing for potential marine business expansion, the Marine Zone shall extend all the way to the East Boston Post Road and

prior-existing non-marine uses shall be "grandfathered"--per attached map and description. Included in this Zone would be five types of zoning districts: residential, public, maine-commercial one, marine-commercial two, and club. Amendments to accomplish this task would include the following elements:

a. Residential District --This district (divided into three sub-groups of R-10, R-15, and R-20 as identified on accompanying map) would include the waterfront property deemed to be most appropriate for residential use with the varying densities as identified. Ninety-eight percent of the Village's waterfront is presently zoned for residential use. This new district would include only 76% of the waterfront, a reduction of 22%. This reduction is deemed to be suitable and desirable for the purpose of achieving the goals identified above. It should be stressed that no existing residential uses would be made non-conforming under this proposal. No changes are proposed for the residential sub-groups because they are considered appropriate (and the present levels of density are deemed desirable) for the purpose of achieving a desirable balance of uses and densities on the coast. The other districts presently zoned residential which are to be included in the proposed Marine Zone are as follows:

b. Public District --It is proposed that the residential district on Harbor Island be re-zoned to a Public District. The district would include all publicly-owned land on Harbor Island (entranceway, park, and treatment plant).

The bulk of this property is zoned for residential use. This is clearly inappropriate. The park cannot be put to residential use except by an act of the State legislature; and the Village, by its action of dedicating the land as park, demonstrated its finding that residential use was not desirable. In addition, the entranceway property is unsuited for residential use by the nature of its size and location.

No specific regulations are proposed for this district since public property may be put to whatever public purpose the municipality deems appropriate with the exception that dedicated parkland may be put only to public recreational purposes. Therefore no additional regulations could legally apply nor would any be necessary to safeguard the general public interest.

Because of the very important contribution which Harbor Island makes to the character of the Village, because the land in question cannot be put to residential use, and because one purpose of the Marine Zone is to recognize existing suitable uses, it is deemed highly appropriate that this property be designated as Public.

c. Club District --It is proposed that the residential districts which are presently put to club uses, as well as the commercial district presently put to club use, should be rezoned. There is currently no zoning classification in the Ordinance which is designed specifically for club use. Clubs are presently a permitted use in both residential and commercial districts. However, they are a use which is subject to sometimes prohibitive additional standards and requirements beyond those required for other uses permitted in those districts.

Clubs are presently considered to possess "such unique and distinct form that each specific use shall be considered an individual case." They are identified as "special exceptions" which must comply with more stringent procedures than other permitted uses. It is proposed that these additional standards and requirements are an undesirable constraint which should be lifted. The lifting of those constraints follows from a recognition that clubs are an important asset to the community not only because of their open space and aesthetic values, but are also desirable for the level of quasi-public access which they provide to the waterfront as well as the significant economic function they fulfill by providing year-round employment and bringing people into the community for water and social recreation who may then also contribute to the local business economy.

d. Marine-Commercial I and Marine-Commercial II --It is proposed that the residential districts and commercial districts presently put to commercial marine uses be re-zoned to reflect current use. There are currently no zoning classifications in the Ordinance which permit boatyard use. All six of the existing boatyards operate as non-conforming uses. Non-conforming uses are severely restricted in the use of their property. Non-conforming uses may not be expanded or even moved from one portion of the lot to another portion of the same lot, nor may buildings be altered in any way.

These boatyards have been found to make an extremely important contribution to the desirable character of the Village as well as to the strength of the local business economy; and they provide a high level of public access to waterfront recreation, including essential support services. The ^{boatyards} years have prospered in Mamaroneck for a long period of time; and one property has been devoted to continuous boatyard use for more than 120 years. The fact that the six boatyards are all non-conforming uses is a striking example of inappropriate zoning.

The commercial marine uses are identified as non-cumulative and are divided into two districts on the basis of their differing topography, character of the area, and street-side access. One district is situated on a steep hillside on the Boston Post Road (Route 1), a busy

(four-lane) commercial artery contiguous to the Village's Central Business District. The other district is situated on flat terrain along Rushmore Avenue (a two-lane) street which passes through a mixture of boatyard, club, and residential uses.

Many large cities have required that when new development occurs on the waterfront, a strip of property should be set aside to allow the public passive enjoyment of waterfront scenic vistas. Given the abundant opportunity for passive enjoyment afforded by Harbor Island Park, there appears to be no need for this type of overlay zoning in Mamaroneck. Active enjoyment of water-related recreation is the issue to be addressed in Mamaroneck since harbor activities, and the upland uses which make them possible, are central to the character of the community.

In order to determine what uses should be permitted in the proposed districts, a study was conducted of waterfront zoning regulations. This study included evaluation of zoning ordinances from other municipalities, a planning report from Malcolm Pirnie, Inc., and reports from three different groups of affected property owners.

Property-owner proposals:

a. Beach Point Club --Lift "Special Exception" restrictions on all clubs, list permitted accessory uses, specify what level of construction activity should require site plan review, amend parking requirements to permit overflow parking on grassed areas of a club property, permit seasonal residences for members.

b. Mamaroneck Beach, Cabana & Yacht Club --Rezone their property from R-20 to R-10. Grandfather club uses as conforming uses, permit expansion, condominiumization of boat slips, etc. under site plan approval. Permit as "Special Permit" uses condominiums at 4 to 5.5 per acre * in association with continued club use; and permit restaurants as a "Special Permit" use. (* Drawings accompanying this proposal show 25 condos on 2 acres or 11 single family homes on 3.7 acres.) Plans described as hypothetical.

c. East Post Road Yachtyards (McMichael Yacht Sales; Robert Derektor, Inc.; Post Road Boatyard; R.G. Brewer Marine Hardware; Orienta Yacht Club) --Describes the East Post Road district as unique on the entire waterfront due to its topography. From road level, the land drops off sharply to the water with a difference in elevation between the road and sea level ranging from approximately 23.45' to 53.23'. Proposes a concept of tiering based on different uses being permitted in accordance with a schedule of percentages which relate certain permitted uses to certain percentages of lot coverage. Proposal would encourage

expansion of both marine and non-marine uses in a carefully defined ratio.

d. Nichols Yacht Yard --Rezone their property from R-15 to R-10. Grandfather boatyard uses as conforming uses, permit expansion, condominiumization of boat slips, etc. under site plan approval. Permit as "special Permit" uses condominiums at 4 per acre * and restaurants. (* Drawings accompanying this proposal show 31 condos on 4.3+ acres or 23 condos with restaurant on 4.57+ acres or 14 single family homes on 4.3+ acres.) Plans described as hypothetical.

Eleven zoning ordinances and the Malcolm Pirnie Report were reviewed to determine the range of uses considered potentially desirable for waterfront locations in other communities, as well as the degree to which recreation is promoted through zoning. The Town of Greenwich ordinance, if applied to Mamaroneck, would permit on the waterfront almost as many uses as are presently distributed throughout the entire village.

The study results demonstrated that each community has a different idea of what promotes the general welfare. Stonington, for example, permits boat repair in a Marine Commercial District but makes marinas a "Special Permit" use in that same district. Some communities encourage restaurants on their waterfronts; other expressly prohibit them. In Norwalk, waterfront clubs are all "Special Permit" uses. Each community designed its ordinance to fit its own special conditions and concept of desirable waterfront uses.

In order to address the New York State Coastal Management Policies, evaluation of the reports and ordinances was based on the following criteria:

a. the degree to which they were consistent with the planning recommendations in the Phase One Report;

b. the degree to which they promoted the traditional uses of our harbor and the economic health of the local business economy;

c. the degree to which they were consistent with the goals of:

(i) achieving a stable, desirable balance of land uses on the coast;

(ii) ensuring public access to Long Island Sound for the purpose of active water-dependent recreation;

(iii) facilitating the siting of water-dependent uses on the coastline; and

d. the degree to which they would promote the general public health, safety, and welfare.

An issue of some concern has been the question of conforming versus non-conforming uses. At present, many water-related recreation uses are either non-conforming or restricted by "Special Exception" provisions. Action to remedy this should be taken so that desirable uses are recognized in the Zoning Ordinance.

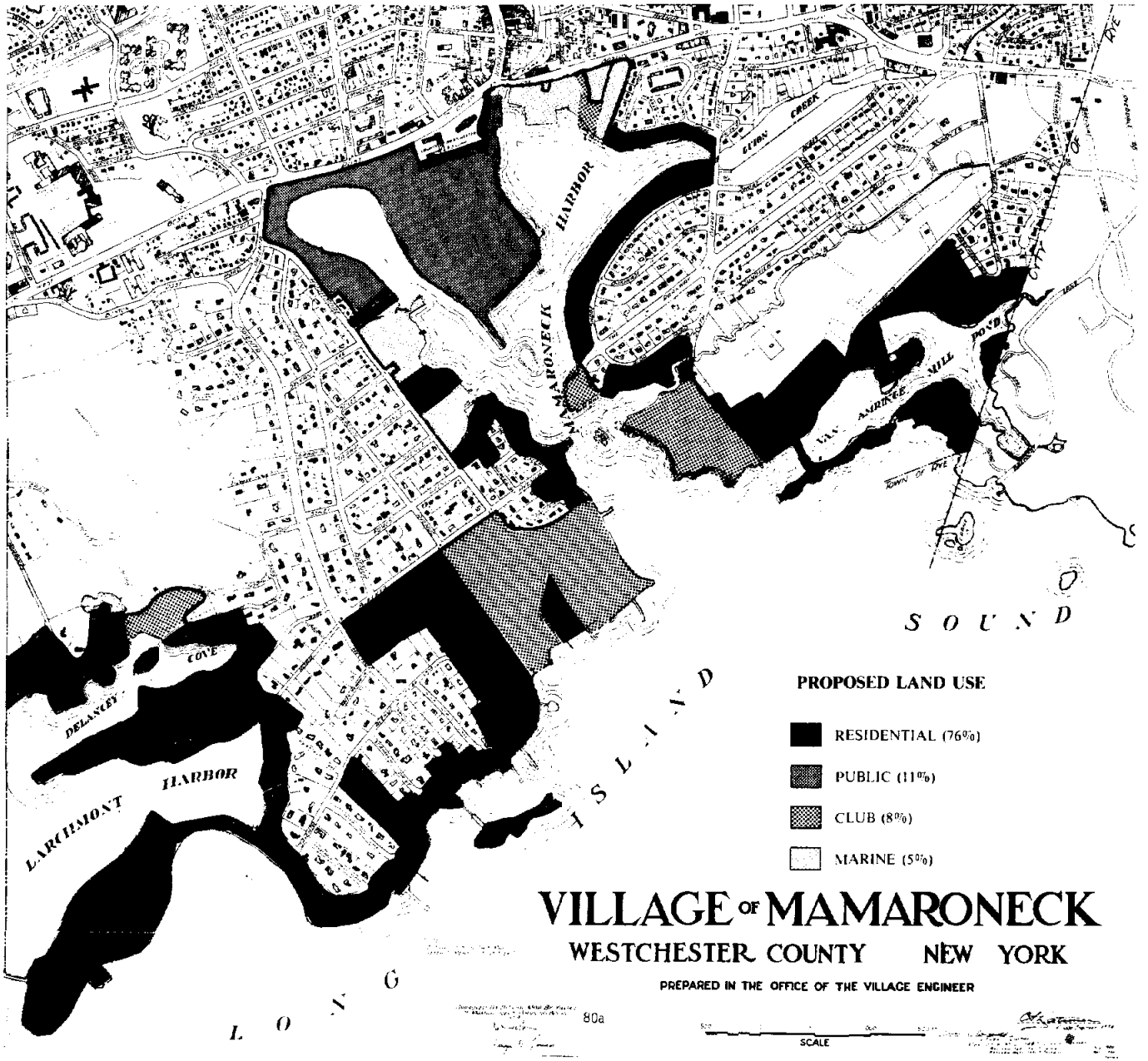
A related issue concerns the treatment of existing non-marine uses in the proposed Marine Zone. The issue is a difficult one, particularly in the area of the East Boston Post Road, where four non-marine uses exist (two restaurants, a gas station, and the Elks Club). Various ways were considered which would allow for expansion of marine uses while not making the present non-marine uses become non-conforming uses. These included simply excluding them from the marine zone (but this would make difficult any future expansion of marine uses), placing them under "Special Exception" restrictions (this was rejected as being inconsistent with overall goals), making them non-conforming uses (this was rejected as inconsistent with procedural goals), or grandfathering them. Grandfathering is recommended as the most acceptable method.

Consideration was given to grandfathering the Orienta Yacht Club in the proposed MC-2 District. This would have the advantage of allowing future growth for commercial marine businesses and increasing public access to the waterfront. Such action would capitalize on a potential for increasing public access in accordance with Policy 19 and would represent a rare opportunity for doing so in a manner entirely consistent with the surrounding commercial enterprises. However, this might constitute unequal treatment of uses within a club district since in the marine zone districts are defined on a generic basis according to present usage.

In conclusion, local conditions were inventoried, alternatives were considered, the relevant coastal management policies were addressed, and the conclusion has been reached that the vitality of water-dependent uses rests upon the use made of upland areas. Appropriate use of upland areas is essential to the achievement of the policy goals identified in this Program. Public access and water-dependent use of the coast will be diminished if uplands currently developed for water-dependent and recreational uses are redeveloped for non-waterdependent uses.

Associated Projects:

1. In conjunction with enactment of proposed zoning amendments, it is recommended that tax incentives be provided to marine businesses heretofore zoned non-conforming. The purpose of these incentives would be to encourage the kind of expansion and/or renovation which has



heretofore been discouraged for non-conforming uses. While such tax incentives are consistent with, and suggested in, the State Coastal Management Program, State legislation may be needed in order to enable villages to implement ~~of~~ such incentives.

2. "Chandlery Row:" In order to intensify the maritime identity of the East Boston Post Road marine commercial area, a public relations campaign is recommended, to center around a concept of the area as a kind of "Chandlery Row." The Village should encourage a coordinated effort between the Chamber of Commerce, a representative group from the marine community and interested businesses to develop a program which encourages marine-related retail business to locate in this area.

3. The unique maritime identity of the Village is more widely recognized outside the community than by Mamaroneck itself. This results in an unfortunate loss of opportunity. Exhibitions, seminars, lectures, and waterfront festivals, etc. designed to increase public awareness of our maritime identity should be supported.

4. Per Policy 1, the Village-owned property and dock at the entranceway to Harbor Island Park should be restored, revitalized, and redeveloped to a water-dependent use which is compatible with surrounding uses and which utilizes the potential of the existing dock. Future study of this area should be accomplished in order to implement this policy.

Watershed Management Plan:

The purpose of the Watershed Management Plan is to address the combined problem of riverine flooding, sewage overflows, and harbor sedimentation, and to implement the flooding and erosion policies as well as the appropriate water & air resources policies in Section III. In order that land use along the tributaries in the Village not aggravate our flooding, siltation, and sewage problems, specific amendments are proposed for local flood regulations which adopted County policies and guidelines. These amendments are set forth in Section V.

Associated Project:

As discussed in the Inventory & Analysis Section, the major cause of these combined problems is cumulative runoff from upstream development which is accomplished without attention to an overall watershed management plan. Federal floodplain management criteria call for overall drainage basin planning. Effective flood control measures must be based on study not of the particular neighborhood, village or town, but on the geographical watershed since the watershed is the inflexible natural basis of surface water flow and flooding problems within a watershed are interrelated. However, in Westchester, where the County's role is limited

by State law and where drainage basins cross a multitude of municipal boundaries, overall coordinated planning has not yet been achieved.

Until such time as an enforceable watershed plan has been developed for the drainage basins which drain through Mamaroneck, this Watershed Management Plan endorses the Westchester County policy that when land is developed, postdevelopment peak rates of stormwater discharge should not exceed predevelopment levels.

It is proposed that the Village promote intermunicipal cooperation with neighboring Sound Shore communities, as well as with upstream communities in seeking a mechanism whereby drainage basin plans can be prepared and implemented. Floodprone communities should be encouraged to seek legislative action from the State to provide partial funding for the development of drainage basin plans, permit a larger role for County government, and amend existing law to permit the equitable establishment of drainage districts.

Natural Resource Protection Plan:

This plan recommends amendments to several local laws to formally recognize a number of environmentally significant areas, to ensure that impacts on environmentally significant areas are adequately addressed as part of the SEQR process prior to undertaking potential actions, and to minimize, for wetland areas, some of the adverse environmental impacts which may potentially result from adjacent high density (planned residential) development.

Associated Project:

Review of the Village's program for mosquito control is warranted both by continuing resident dissatisfaction and by concern for protecting wetlands and significant fish and wildlife habitats from toxic residues. Recent experience with the use of biological controls applied to mosquitos in the larval stage indicates that this may be both more effective and less environmentally harmful than aerial spraying of pesticides. A pilot program to test the use of B.T.I. should be established. This program should be coordinated with the Westchester County Dept. of Health and the New York State Dept. of Environmental Conservation. Both funding and technical assistance would be required for this project.

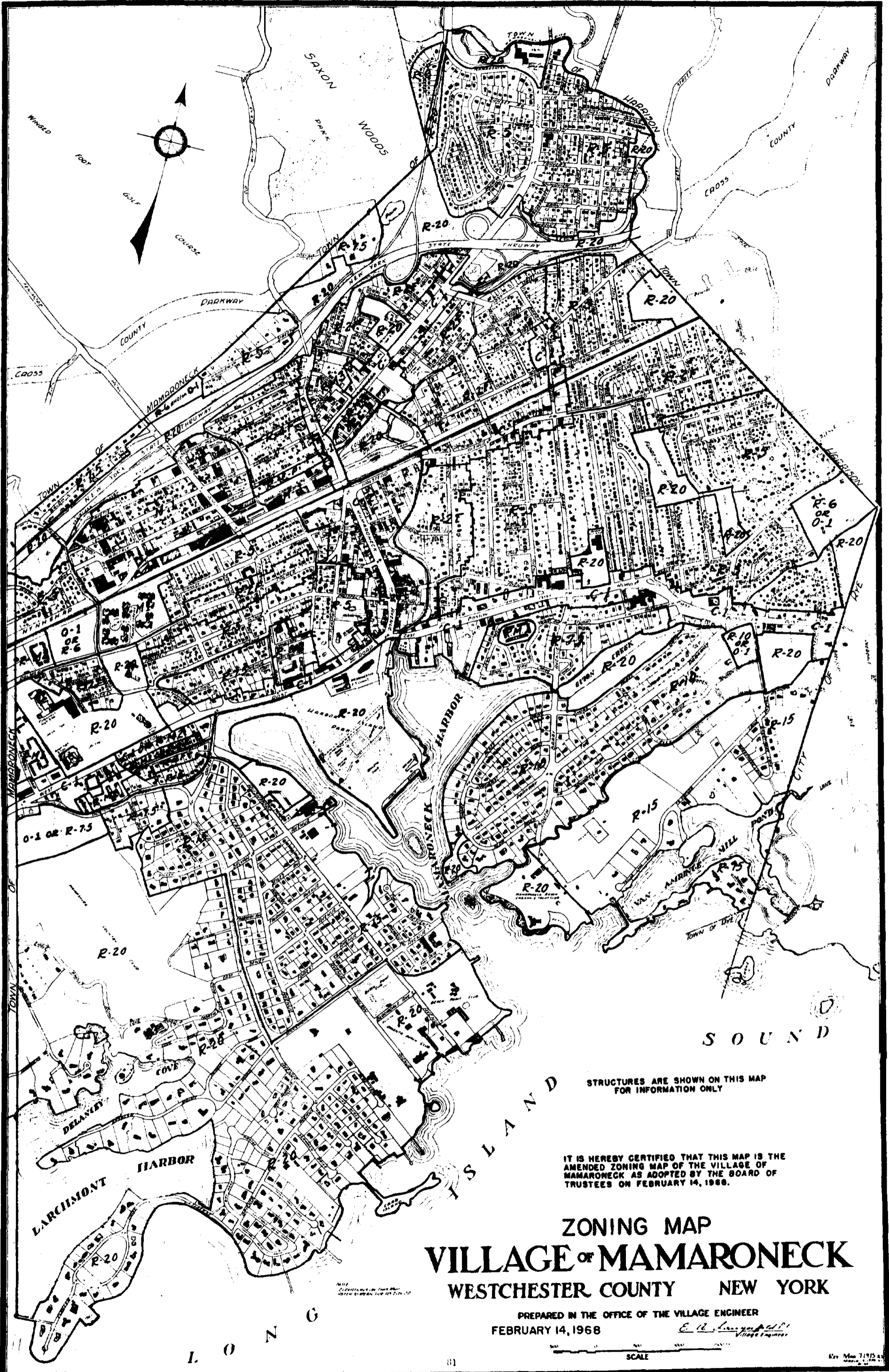
Harbor Management Plan:

In order to promote boating recreation and ensure safe vessel usage, the Village promulgates regulations concerning marine structures, moorings, use of municipal facilities,

and safe operation of watercraft through the harbor. Attention is given to the need to provide for continued harbor maintenance--including dredge maintenance, harbor upkeep, and planning to meet present and future boating demand, as well as appropriate location of fairways, channels, and anchorages, and the development of standards for marine structures. Specific areas of the harbor are designated for particular uses in order to improve harbor safety; drysail vessels are to be registered and encouraged; a capital fund is to be established for harbor maintenance; and the Harbor Commission mandate should be updated. Specific proposals are found in Section V.

Associated Project:

A formal Harbor Management Plan should be prepared which meets present and future needs of Mamaroneck Harbor and is consistent with Army Corps of Engineers guidelines. As part of this plan, a feasibility study should be done to evaluate the potential for expanding municipal boating facilities. Both Technical assistance and funding would be required for this project.



STRUCTURES ARE SHOWN ON THIS MAP FOR INFORMATION ONLY

IT IS HEREBY CERTIFIED THAT THIS MAP IS THE AMENDED ZONING MAP OF THE VILLAGE OF MAMARONECK AS ADOPTED BY THE BOARD OF TRUSTEES ON FEBRUARY 14, 1968.

ZONING MAP VILLAGE OF MAMARONECK WESTCHESTER COUNTY NEW YORK

PREPARED IN THE OFFICE OF THE VILLAGE ENGINEER
FEBRUARY 14, 1968
E. R. ...
Village Engineer

SCALE

See Map 71915-25
March 1, 1968

ZONING DISTRICTS AND LOT SIZE REQUIREMENTS
VILLAGE OF MAMARONECK

<u>District</u>	<u>Minimum Lot Size (sq. ft)</u>
A-20: One Family	20,000
R-15: One Family	15,000
R-10: One Family	10,000
R-7.5: One Family	7,500
R-6: One Family	6,000
R-5: One Family	5,000
R-2F: One and Two Family	3,750 per dwelling unit*
R-4F: One to Four Family	2,500 per dwelling unit*
RM-1: Multiple Residence	40,000 but not less than 2,500 per dwelling unit
RM-2: Multiple Residence	20,000 but not less than 1,800 per dwelling unit
RM-3: Multiple Residence	20,000 but not less than 1,000 per dwelling unit
O-1: Office Business	3 acres
C-1: General Commercial	-
C-2: Central Commercial	-
M-1: Manufacturing	10,000

Source: Village of Mamaroneck Zoning Ordinance, 1982 as amended.

Notes: Planned residential developments are permitted on parcels of at least 10 acres in One Family Residential Districts.

* Where a lot of at least 40,000 sq. ft. is assembled in single ownership, the Planning Board may approve a development plan which increases the total number of permissible dwelling units by 20%.

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

A. Local Laws and Regulations Necessary to Implement the Local Waterfront Revitalization Program:

1. Existing local laws and regulations

a. Zoning Ordinance of the Village of Mamaroneck --Regulates land use in the coastal zone and, if amended, is an appropriate means for implementing coastal management policies concerned with development, public access, and recreation.

b. Local Law No. 10-1977 (adopting the State Environmental Quality Review Act)--Provides for review of development projects in sensitive areas of the coastal zone and is an appropriate means for ensuring the local agency actions are consistent with all coastal management policies.

c. Local Law No. 15-1980 (C.E.A. designations) --Amends Local SEQR to designate certain areas as Critical Environmental Areas and, if further amended, is an appropriate means for protecting environmental values in highly sensitive locations of the coastal zone in accordance with fish and wildlife policies, wetland protection policies, water and air resource policies, and flood policies.

d. Local Law No. 3-1977 (Freshwater Wetlands) --Regulates development in or adjacent to freshwater wetlands and is appropriate for implementing fish and wildlife policies, wetland policies, water and air resource policies, and flood policies.

e. Local Law No. 18-1977 (A Flood Damage Prevention Program)--Regulates development in floodplains and, if amended, is appropriate for implementing flood and erosion hazard policies, and water and air resources policies.

f. Local Law 7-1979 ("Ten-acre Zoning Law")--Regulates land use contiguous to wetlands and, if amended, is appropriate for implementing fish and wildlife policies and wetland policies.

g. Local Law 9-1982 (Historic Preservation Ordinance/ Landmarks Advisory Committee) --Creates a Landmarks Advisory Committee and protects sites of historic, architectural, archeological, or cultural significance if designated by the Village Board. With regard to certain recreation policies, this ordinance adds another level of protection to that which is achieved through the use of

h. Local Law No. 10-1982 (Coastal Zone Management Commission)-- Provides for a permanent Coastal Zone Management Commission and, if amended to authorize consistency reviews, would establish an appropriate management mechanism to be used in conjunction with an amended SEQR.

i. Chapter 9 of the Unified Code of Ordinances (Harbor Commission)-- Establishes a Harbor Commission and, if amended, would serve to better implement certain of the development, recreation, public access, and water resources policies.

j. Chapter 9 of the Unified Code of Ordinances of the Village of Mamaroneck-- "Harbor and Watercraft." This ordinance regulates harbor activities and should be amended to better provide for the safe passage of vessels in accordance with recreation, public access, and water resources policies.

2. Proposed Amendments:

a. Zoning (Public Access Plan) The following amendments recognize the unique characteristics of the waterfront of the Village of Mamaroneck and encourage a type and scale of development which can protect our important resources while promoting the continued economic health of the community.

PROPOSED DRAFT LOCAL LAW NO. _____ - 1984

A local law amending the Zoning Ordinance and Zoning Map of the Village of Mamaroneck by establishing a Marine Zone and designating certain areas of the Village as Residential, Public, Club, Marine-commercial 1, and Marine-commercial 2.

1. A new Section 305 of the Zoning Ordinance is hereby created as follows:

Section 305. ESTABLISHMENT OF MARINE ZONE. The waterfront of the Village of Mamaroneck is hereby divided into the following classes of districts:

- One-Family Residence District.....R-20
- One-Family Residence District.....R-15
- One-Family Residence District.....R-10
- Public District.....PB
- Club District.....CB
- Marine-commercial 1.....MC-1
- Marine-commercial 2.....MC-2

The boundaries of the Marine Zone and the districts contained therein are drawn on the attached map.

2. Section 324 is amended to read "and the area extending outward from said mean high tide line shall be deemed to be the same district as the adjoining upland area."

3. Section 422. Schedule of Non-Residential District Regulations is hereby amended as follows:

District	Permitted Principal Uses	Permitted Accessory Uses (Only in conjunction with a permitted principal use)
PB Public	1. All Village property shall be put to such public uses as the Village Board may duly determine and prescribe. Dedicated parkland may only be put to public recreational uses.	
CB CLUB	1. Membership clubs, such as beach, golf, country, yacht, and similar clubs, but only if incorporated as a not-for-profit corporation pursuant to NY State law.	1. Any accessory building or accessory use permitted in a residence district except excluding professional offices or studies and excluding customary home occupation. 2. Tennis courts, paddle tennis courts, swimming pools, beaches, boat docks, boat launching ramps, basketball courts, and other

similar outdoor recreation uses (lighting of recreation facilities for night use subject to Sec. 500 approval procedure).

3. Boathouses, gymnasiums, health and fitness club facilities, racquetball courts, squash courts, locker rooms, cabanas and other similar types of recreation facilities.

4. Dining, entertainment and bar facilities.

5. Club administrative offices, maintenance facilities, storage buildings, boat storage, fuel and oil sales to members and guests only, laundry facilities, and facilities for pumping out of marine holding tanks, facilities for waste oil collection, and other similar types of club support facilities.

6. Residences for caretakers and staff, seasonal residences for club members and guests.

7. Day camp.

8. Fences, walls or retaining walls not exceeding six feet in height (or higher*) except that fences of not less than 3/4 open construction shall be permitted up to twelve feet in height around tennis courts and other similar facilities.

9. Other accessory buildings and accessory uses customarily incidental to the principal club use of the premises.

MC-1
Marine
Commercial
(General)

1. Facilities for hauling, launching, dry storage, and dry-sailing of boats.
2. Facilities for building, repairing, and maintaining boats, marine engines, and other marine equipment up to 150 tons.

1. Facilities for docking and mooring of boats as regulated by the Village.

2. Facilities for the sale and/or rental of:

- a. boats, new and/or used;
- b. marine insurance and/or survey services;
- c. materials, supplies, parts, tools, and other equipment used in connection with boats;
- d. bait, supplies, equipment, materials and parts used in connection with fishing;
- e. ice, food and beverages in sealed packages and containers for off-premises consumption in connection with boating;
- f. sale and dispensing of fuel and lubricants for boats at retail and for use in boatyard equipment, but expressly excluding the storage of more than 15,000 gallons of fuel.

3. Facilities for pumping out marine holding tanks.

4. Facilities for waste oil collection.

5. Facilities for marine schools.

MC-2
Marine
Commercial
(Central)

1. Facilities for hauling, launching, dry storage, and drysailing of boats.
2. Facilities for building, repairing, and maintaining boats, marine engines, and other marine equipment up to 150 tons.
3. Above ground floor * level, any principal use permitted in a General Commercial (C-1) District.

1. Any accessory use permitted in a MC-1 District.

2. Above the ground floor * level, any accessory use permitted in a General Commercial (C-1) District.

[* Term to be defined consistent with preservation of existing water-dependent usage.]

4. Amend Section 422 "Schedule of Non-Residential District Regulations" so as to add a CB District after the O-1 Office Business District, with the following dimensional standards and requirements:

1	4	5	6	7	8	9
District	Min. Lot Area (Sq.Ft.)	Min. Lot Width, Frontage	Max. Bldg. Coverage (% Lot Area)	Max. Floor Area	Max. Bldg. Hght. Stories	Feet
CB Club	1 Acre	150 Ft.	35%	--	3	40

10	11	12	13	14	15
Min. Required Yards (Feet)			Off-Street Parking	Off-Street Loading	Other Requirements
Front	Side	Rear			
25	20	30	As required by Sec.430	As required by Sec.430	None

5. Further amend Section 422 "Schedule of Non-Residential District Regulations" so as to add a MC-1 General Marine-commercial District and a MC-2 Central Marine-commercial District after the CB Club District, with the following dimensional standards and requirements:

1	4	5	6	7	8	9
District	Min. Lot Area (Sq.Ft.)	Min. Lot Width, Frontage	Max. Bldg. Coverage (% Lot Area)	Max. Floor Area	Max. Bldg. Hght. Stories	Feet
CM-1 General Marine Commercial	1 acre	100 ft	50%	To be established	3	40
CM-2 Central Marine Commercial	To be established	To be established	To be established	To be established	To be established	*

*Based on the sharply sloping topography of this area, it is proposed that building heights be permitted to rise higher when located farther down the slope, but in no case should any part of the building/structure exceed 40 ft. in height above the Boston Post Road. Dimensional standards and requirements to be established shall not result in a loss of existing waterdependent usage.

6. Amend Section 411.6 to add the following underlined phrase: "Trailers - Outside storage of trailers, except boat trailers in an MC or CB district, is prohibited..."

7. Amend Section 411.7 to add a sentence - "Boat and boat trailer storage is permitted in an MC or CB district subject to all restrictions contained in the appropriate sections of the Zoning Ordinance."

8. Amend Section 434, "Schedule of Off-street Parking Requirements," so as to change and clarify the off-street parking requirements for clubs and marine commercial uses as follows (underlining indicates changed or added wording):

"Clubs"

2 for each 3 memberships, plus 1 for each 3 employees, plus 1 for each 2 seats in a restaurant, except that for a multi-purpose club in the CB District, the requirement shall be 2 for each tennis court, plus 1 for each 50 sq.ft. of pool area, plus 1 for each boat slip, plus required parking for accessory residences; or 1 for each 2 seats in club dining facilities, plus required parking for accessory residences; or 1 for each 3 memberships, plus required parking for accessory residences; whichever requirement is greater, or sufficient on-site parking for all regular utilization of the club.

"Marine-Commercial"

For summer dockage and drysailing only: 1 for each 2.5 boats plus 1 for each 3 employees. For winter storage only: 1 for each 10 boats plus 1 for each 3 employees. It is expressly permitted that required parking for summer and winter storage is not cumulative and can be satisfied by multiple and seasonal use of Lot Area. Parking spaces need not be lined but must be reasonably apparent. Minimum widths as required by local ordinance shall be observed.

9. Amend Section 438 "Improvement of Parking Facilities" as follows (underlining indicates changed or added wording):

"438. Improvements of Parking Facilities --Required off-street parking facilities may be enclosed in a structure or may be open, except as required specifically for multi-family dwellings, provided that all required parking facilities shall be graded, surfaced, drained, and suitably maintained to the satisfaction of the Village Engineer to the extent necessary to avoid nuisances of dust, erosion, or excessive water flow across public ways or adjacent lands. In multi-family residential development and in non-residential development, the Village Engineer shall require the provision of suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits. Upon a finding by the Planning Board that the immediate need for parking spaces is substantially less than

the total required by Section 434, the Board may temporarily waive the paving of up to one-half of the required spaces, provided the applicant gives assurance satisfactory to the Village Attorney, that he will pave sufficient additional spaces whenever the Planning Board makes a subsequent finding that the parking of cars connected with or visiting, the use takes place on adjacent streets consistently, and notifies the applicant of the additional paving required. To minimize the drainage and aesthetic impact of excess pavement, seasonal or temporary overflow parking on club properties shall be permitted on grassed areas."

10. Amend Section 512 as follows (underlining indicates changed or added wording):

"512. Except as set forth in Section 512.1 below, site development plan approval..."

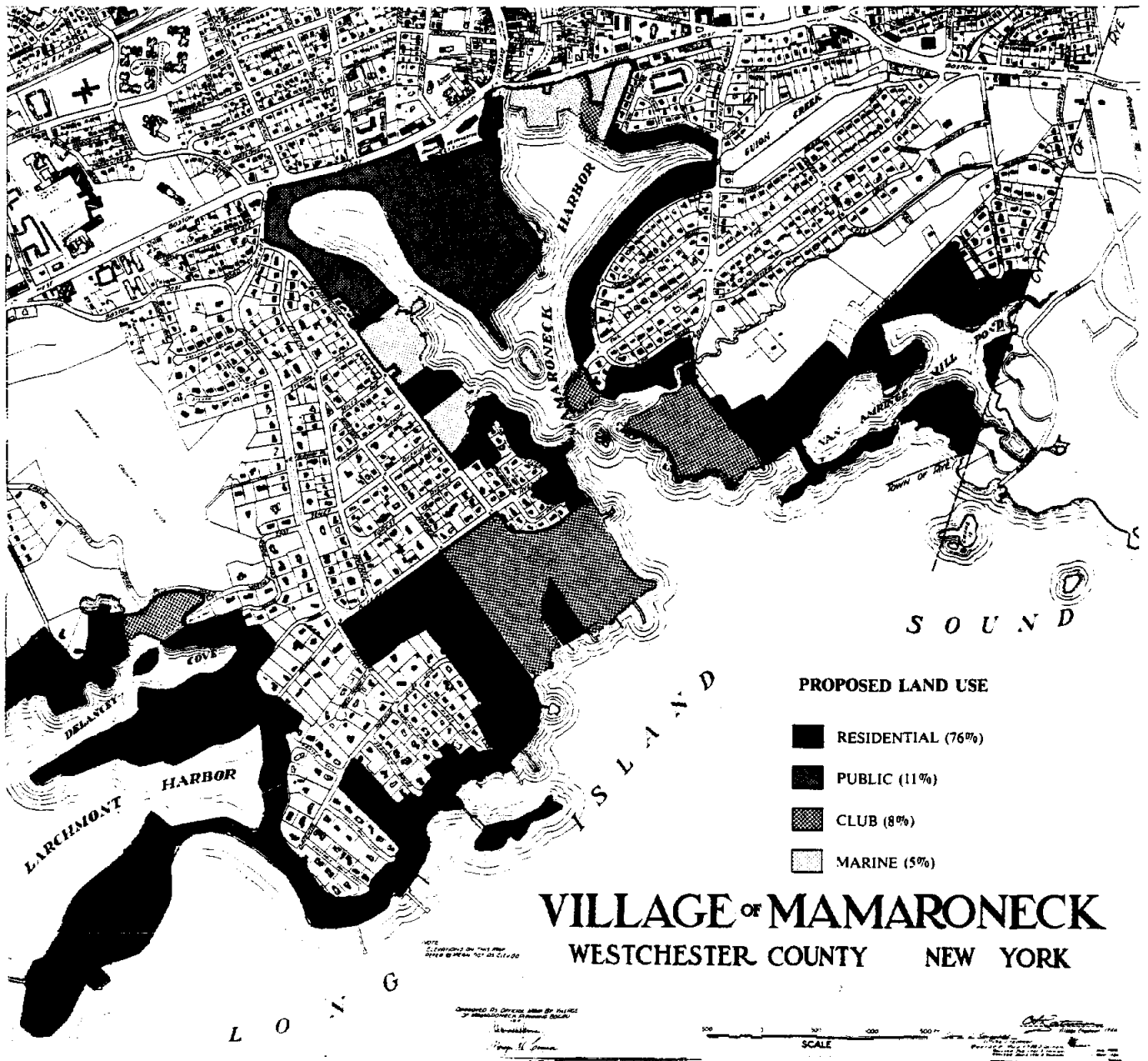
11. Insert an additional section to be designated Section 512.1 which would establish site development plan approval requirements for the CB Club Districts and the MC Marine Commercial districts only for:

a. The erection or enlargement of any building involving new construction in excess of 2,500 square feet; and

b. The construction of a new swimming pool, tennis court or other similar type of recreation facility."

12. Insert an additional section to be designated 512.2 to read as follows:

"512.2 In action on the approval of a site development plan for a club in a CB District or for a boatyard in a MC Marine Commercial District, the Planning Board shall balance the objectives set forth in Section 515.5 with the overriding considerations of encouraging, preserving and protecting club and boatyard uses in the Village's Marine Zone."



b. Flood Damage Prevention Ordinance (Watershed Management Plan) . The following legislative actions are proposed:

(1) Westchester County's Model Ordinance for Flood, Erosion, and Sediment Control should be adopted and expanded to include those portions of the Village of Mamaroneck Flood Damage Prevention Ordinance which are already stricter than the County model ordinance. Such action would add to Village regulations by providing for (a) formal adoption of the Best Management Practices; (b) a contract with the Soil and Water Conservation District for review of large development projects; (c) notification of communities likely to be affected by a project.

(2) The ordinance should be expanded to make explicit the Best Management Practices policy of "zero increase." (See Policy 33, page 57.);

(3) Findings of Fact should reflect the fact that flood losses are caused by the cumulative impact of watershed runoff, as well as by the cumulative obstructions in flood plains (see Village flood ordinance Sec. 1.20(2)).

(4) Applications for development should be required to contain information regarding the anticipated net change in discharge rates after construction (all storm levels). (See Village flood ordinance Sec. 4.10.)

(5) Applications for development in the flood plain should require certification. (See Village flood ordinance Sec. 4.31(3).)

c. Environmental Laws (Natural Resources Protection Plan) Mamaroneck has a number of valuable wetlands, significant fish and wildlife habitats, open spaces, and sensitive drainage areas which are deserving of protection or preservation. Amendments to several local laws are recommended in order to implement the fish and wildlife policy, the wetland policies and certain of the recreation and water resource policies. The following amendments are proposed.

(1) Local Law 15-1980 (designating Critical Environmental Areas) should be amended to designate the Hampshire Country Club and that portion of the Hommocks Conservation Area which is located in the Village of Mamaroneck. The Hampshire Country Club golf course is a highly sensitive drainage area with the potential for impacting the Hommocks Marsh and coastal waters. The Hommocks Conservation Area is a significant habitat. CEA designation would encourage more careful review of proposed

actions in or contiguous to these two areas.

(2) Local Law 7-1979 ("10-Acre Zoning Law") should be amended, in conjunction with amendment of Sec. 423.13b of the Zoning Ordinance, to limit the amount of wetland which can be included for purposes of reaching the minimum parcel size. The minimum size of a parcel eligible for Planned Residential Development is 10 acres, and the both the law and ordinance should be amended to specify that no more than 30% can be tidal or freshwater wetlands. At the present time, this law threatens environmental values by encouraging high density development directly adjacent to the Village's fragile wetlands. At the present time, the larger the proportion of wetland to buildable lot, the higher the density which is permitted to occur on that buildable lot. Without amendment, this law impedes implementation of fish and wildlife policies, wetland policies, and certain water resource policies.

(3) Local Law 10-1977. This law adopts the State Environmental Quality Review Act. It is recommended that this law be amended to mandate the preparation of an environmental impact statement for major actions located directly in a Critical Environmental Area.

d. Chapter Nine of the Unified Code of Ordinances-"Harbor and Watercraft." This law regulates the safe passage of vessels in Mamaroneck Harbor. It is recommended that it be amended to designate particular harbor areas for particular uses, as follows:

(i) Water-skiing --prohibited in both the inner and outer harbor except for sanctioned and regulated shows or events.

(ii) Wind-surfing --prohibited in the inner harbor and encouraged in the outer harbor.

(iii) Scuba Diving (recreational only) --prohibited in the inner harbor and encouraged in the outer harbor.

(iv) Lobstering --restricted to specifically designated areas in the outer harbor only. (Note: lobster pots prohibited in channel.) Restrictions to be coordinated with the N.Y. Dept. of Environmental Conservation.

(v) Drysailing --encouraged at commercial facilities. Boats drysailed from commercial facilities should be registered and subject to an appropriate fee.

d. Local Law Establishing a Harbor Commission (Harbor Management Plan) A new law providing for a restructured Harbor Commission is recommended in order to better implement certain of the development, recreation, public access, and water resources policies. The following law is proposed:

PROPOSED LOCAL LAW RE-ESTABLISHING THE HARBOR COMMISSION:

There is hereby re-established a Harbor Commission for the Village of Mamaroneck. This law repeals and supersedes Section 35 of Chapter 9 effective 5/22/72 entitled "Establishment of Harbor Commission."

Section 1. APPOINTMENT OF HARBOR COMMISSION. The Harbor Commission of the Village of Mamaroneck shall consist of nine (9) members who shall be residents of the Village and who shall be appointed by the Board of Trustees of the Village of Mamaroneck for staggering terms of four years each. The members of the Harbor Commission shall serve without compensation but shall be entitled to reimbursement for any moneys expended in the performance of their duties. The Commission shall annually elect, and from its own members, a chairman and vice chairman. Any vacancy on the Commission shall be filled for the unexpired term in the same manner in which the original appointment was made.

In addition to the regular nine members, there shall also be five non-voting ex-officio members as follows: Harbor Master, Chairman of the Parks and Recreation Commission, Chairman of the Coastal Zone Management Commission, Police Chief, Fire Chief; and such non-paid consultants as the Commission may from time to time appoint.

Section 2. DEFINITION. As used herein, the word "harbor" shall mean and include all navigable waters, inlets, bays and coves within the limits of the Village of Mamaroneck and for a distance of 1,500 feet offshore from the Village boundary, except the waters within the territorial jurisdiction of the City of Rye.

Section 3. POWERS AND DUTIES OF THE HARBOR COMMISSION. The Commission shall have the following powers and duties:

(a) To consult with and advise the Board of Trustees on all matters relating to the Harbor, including but not limited to:

- (1) the operation of watercraft in the Harbor;
- (2) the construction of marine structures and dredging in the Harbor;
- (3) the mooring of vessels in the Harbor;
- (4) pollution in the Harbor;
- (5) the ecology of the Harbor;
- (6) all recreational activities in the Harbor;

(b) To recommend to the Board of Trustees long-range plans relating to the Harbor.

(c) To recommend to the Board of Trustees adoption or amendment of ordinances and the taking of other official or unofficial action relating to the Harbor.

(d) In the cases of all applications made by any person to the U.S. Army Corps of Engineers or the New York State Dept. of Environmental Conservation, to recommend whether the Village should support or oppose such application and, upon authorization, to present statements and take other action on behalf of the Village in supporting or opposing such application.

(e) To consult and advise with the Chief of Police on matters relating to the police patrol of the Harbor.

(f) To consult and advise with the Parks and Recreation Commission and with the Coastal Zone Management Commission on all matters of joint interest.

(g) To review all applications for marine structures and, prior to the issuance of permits, make recommendations to the permitting agency or person (Board of Appeals, Planning Board, Building Inspector). The purpose of such review shall be to evaluate proposed marine structures as to size, location, and construction in order to verify that there is no impingement on the rights of others for the use of navigable waters, and that the structures are suitable and appropriate for their intended use.

(h) To maintain liaison and consult and advise with appropriate Federal, State and County officials on matters relating to the Harbor.

(i) To submit to the Board of Trustees an Annual Report of the Commission's activities.

Section 4. MEETING OF THE COMMISSION. The Commission shall regularly meet once each month at a time and place set by said Commission for its regular meeting. A quorum shall consist of five (5) members. The Chairman, Vice Chairman, or any three members of the Commission may call a special meeting of said Commission for such purposes as are designated in said call. Notice of said special meeting shall be given in writing to all members and to the Harbor Master 48 hours in advance of said special meeting. The Village Clerk shall be responsible for giving notice of all regular and special meetings of the Commission.

e. Local Law 10-1977 (Local SEQOR). This law should be amended to ensure consistency --to the maximum extent practicable-- with the policies adopted for management of the coastal zone. It is recommended that the law be amended to reflect the following:

--The "Coastal Zone" of the Village is defined as all those lands and waters within the Village of Mamaroneck legal jurisdiction (including Mamaroneck Harbor, a portion of Larchmont Harbor, and the offshore waters up to the 1,500 foot jurisdictional limit referred to in the New York State Navigation Law).

--Provide that as early as possible in a lead agency's review of a pending application that the lead agency do the following:

a. if the action is either a Type 1 or unlisted, determine if the action is consistent with the Local Waterfront Revitalization Program. In reaching this determination, a recommendation will be sought from the Coastal Zone Management Commission.

b. if the action is not a Type 1 nor an unlisted action, then the lead agency shall cause the applicant to certify that the action is consistent with the Local Waterfront Revitalization Program and will not substantially hinder the achievement of any of the policies and purposes of the LWRP and whenever practicable will advance one or more of such policies.

--Provide that local agency actions are consistent, to the maximum extent practicable, with the Local Waterfront Revitalization Program, whose intent is to achieve a balance between the protection of natural resources and the need to accommodate social and economic considerations.

-- Provide that, when required, a draft EIS together with notice of completion be filed with the Secretary of State as well as with other involved agencies.

--With regard to the preparation and content of EIS's, provide that the body of the draft and final EIS's shall contain an identification of the applicable policies of the Local Waterfront Revitalization Program and a discussion of the effects of the proposed action on such policies.

f. Local Law 10-1982 (creating a permanent Coastal Zone Management Commission). This law should be amended to authorize the Commission to review proposed actions and provide recommendations regarding consistency to the appropriate agency. Proposed actions include federal, state, and local actions --whether these are direct agency actions, or actions connected with funding, or actions connected with the granting of permits and regulation of land use.

B. Other Public and Private Actions Necessary to Implement the Local Waterfront Revitalization Program.

1. Local Government Actions.

a. Contract with the Westchester County Soil and Water Conservation District for review of permit applications before issuing any permits for activities involving excavations of greater than 5,000 cubic yards. This action should be carried out as soon as practicable following adoption of the Model Ordinance for Flood, Erosion, and Sediment Control.

b. Apply to the Dept. of State for implementation funding and technical assistance to complete a Harbor Management Plan. A harbor management plan is essential to better implement certain of the development, recreation, public access, and water resource policies.

c. Apply to the Dept. of State for implementation funding for a pilot project to study the feasibility of B.T.I., a biological mosquito control, as an alternative to aerial pesticide spraying. This action is necessary to better implement the wetland protection policies.

d. Renew the request to the Town of Harrison that it designate its portion of the Mamaroneck Reservoir as a Critical Environmental Area because of its value as a reservoir for floodwaters. This request was originally made in 1980 and should be renewed in order to better protect the Village from flooding in accordance with the flooding and erosion hazard policies.

e. Prepare a plan for providing tax incentives to marine businesses previously zoned non-conforming, and seek State enabling legislation if necessary. This action is recommended as a means to implement certain of the development and recreation policies.

f. Encourage intermunicipal cooperation in drainage basin planning and seek State enabling legislation to permit the equitable establishment of drainage districts and to provide at least partial funding for the preparation of intermunicipal watershed management plans. This activity is essential to implement flooding and erosion policies and water resources policies.

g. Establish a capital fund for long-term harbor maintenance in order to ensure proper maintenance of harbor facilities; including (in cooperation with Westchester County) dredge maintenance. This action would implement certain of the recreation, development, public access, and water resources policies and should be undertaken as soon as practicable upon adoption of the program.

h. To ensure proper management of the harbor and

promote marine interests both public and commercial, the Village should request that the federal anchorage and channels in the East Basin be redesignated by the Federal government. This request has already been made.

2. Private Actions.

"Chandlery Row" is a proposed public relations campaign. With local government encouragement and assistance, private business interests and the Chamber of Commerce could make a significant contribution to efforts to intensify the maritime identity of the Village and of the East Boston Post Road (which already is characterized as a central commercial marine area). Such a campaign could capitalize on the "working port" aspects of the harbor area to expand the business economy while at the same time enhancing the character of the community.

C. Management Structure

1. The Board of Trustees shall be the lead agency and, together with the Mayor of the Village of Mamaroneck, are responsible for overall management and coordination of the Local Waterfront Revitalization Program.

2. Implementation of the Program is to be accomplished through the previously identified projects and amendments to local laws, together with the establishment of a review procedure whereby local permitting authorities (primarily the Board of Trustees, the Board of Appeals, and the Planning Board and the Building Inspector) will take into consideration and make determinations regarding the consistency of proposed actions with the policies of the Program. Prior to such determinations being made by permitting authorities, proposed actions in the coastal zone will be referred to the Coastal Zone Management Commission for its review and comment and this comment will be considered by the permitting authorities when making determinations of consistency.

3. The local SEQR law, when amended, will require that local actions must be consistent to the maximum extent practicable with the policies of this Program. In this way, the coastal management policies contained herein will receive maximum consideration prior to the granting of permits.

4. State and Federal agencies identified in Section VI will notify the Mayor of the Village of Mamaroneck of proposed actions in or likely to affect the coastal zone. Such actions will be subject to the same consistency review as provided by the Waterfront and Coastal Resources Act, the Federal Coastal Zone Management Act, and their implementing regulations.

D. Financial Resources

1. Two projects are proposed which will require funding. These are the completion of the harbor management plan and the undertaking of a pilot project to explore feasibility of biological means of mosquito control in one of the Village's wetlands. Application will be made to the Dept. of State for implementation funds to accomplish these two projects.

2. The other public and private implementation actions will not require outside sources of funding.

3. Management of the LWRP will not require outside sources of funding.

E. Summary Chart of Actions to Implement the Policies

(Includes Existing or proposed local laws, local government actions and private actions.)

<u>Policy</u>	<u>Implemented or Enforced by</u>
1	Local SEQR (amended to require consistency); and potentially by Harbor Management Plan.
2	Zoning Ordinance (amended to create Marine Zone); and by Local SEQR (amended to require consistency).
3	Not applicable.
4	Zoning Ordinance (amended to create Marine Zone); completion of Harbor Management Plan; tax incentive program; "Chandlery Row" public relations campaign; establishment of a capital fund for harbor maintenance; redesignation of channel & anchorage lines; update mandate of Harbor Commission.
5	Not applicable.
6	Local SEQR (amended); project to simplify permit procedures presently being undertaken by a special taskforce; and Harbor Management Plan.
7	Local SEQR (amended to require consistency; to designate certain areas as Critical Environmental Areas; and to mandate preparation of Environmental Impact Statements for major actions located directly in Critical Environmental Areas).
7a	Same implementation as Policy 7.
8	Local SEQR (amended to require consistency); and Pilot B.T.I. (mosquito control) Project.
9	Zoning Ordinance (amended to create Marine Zone); Local SEQR (amended to require consistency).
10	Same implementation as Policy 9.
11	Local SEQR (amended to require consistency); and Flood Damage Prevention Ordinance.
12	Local SEQR (amended to require consistency); Model Flood Ordinance (to be adopted).

- 13 Local SEQR (amended to require consistency).
- 14 Local SEQR (amended to require consistency); Flood Damage Prevention Ordinance; Model Flood Ordinance (to be adopted); Best Management Practices (as referenced in Policy 33); and establishment of drainage districts.
- 15 Not applicable.
- 16 Not applicable.
- 17 Local SEQR (amended to require consistency); Flood Damage Prevention Ordinance; Model Flood Ordinance (to be adopted); Best Management Practices; and establishment of drainage districts.
- 18 Local SEQR (amended to require consistency); establishment of procedures for consistency reviews (as described on page 99).
- 19 Zoning Ordinance (amended to create a Marine Zone); Harbor Management Plan; capital fund for harbor maintenance; tax incentives for marine businesses previously zoned non-conforming; "Chandlery Row" project; Historic Preservation Ordinance; Local SEQR (amended to require consistency).
- 20 Same as Policy 19
- 21 Same as Policy 19
- 22 Local SEQR (amended to require consistency).
- 23 Local SEQR (amended to require consistency); and Historic Preservation Ordinance.
- 24 Not applicable.
- 25 Local SEQR (amended to require consistency).
- 26 Not applicable.
- 27 Not included.
- 28 Not applicable.
- 29 Not included.
- 30 Local SEQR (amended to require consistency).

- 31 Local SEQR (amended to require consistency).
- 32 Not applicable.
- 33 Local SEQR (amended to require consistency); Flood Damage Prevention Ordinance; Model Flood Ordinance; Best Management Practices; establishment of drainage districts.
- 34 Local SEQR (amended to require consistency)
- 35 Local SEQR (amended to require consistency)
- 36 Local SEQR (amended to require consistency)
- 37 Local SEQR (amended to require consistency); Model Flood Ordinance; and Best Management Practices.
- 38 Local SEQR (amended to require consistency).
- 39 Local SEQR (amended to require consistency).
- 40 Not applicable.
- 41 Not included.
- 42 Not included.
- 43 Not included.
- 44 Local SEQR (amended to require consistency; to designate additional Critical Environmental Areas; and to mandate the preparation of Environmental Impact Statements for major actions located directly in Critical Environmental Areas; local law regulating freshwater wetlands).

SECTION VI

**STATE AND FEDERAL ACTIONS AND PROGRAMS
LIKELY TO AFFECT IMPLEMENTATION**

A. Federal and State Actions and Programs which should be undertaken in a manner consistent with the Local Waterfront Revitalization Program.

[Additional actions and programs to be identified by the New York State Dept. of State]

1. Federal Actions and Programs

a. Army Corps of Engineers

- (1) Dredge Maintenance Program
- (2) Flood Control Projects
- (3) Redesignation of Channel & Anchorage Lines

b. Environmental Protection Agency

- (1) Regulation of activities proposed to occur in wetlands
- (2) Regulation of dredging and dredge disposal activities
- (3) Regulations protecting coastal water quality

c. Federal Highway Administration

- (1) Highway construction activities

d. Dept. of Transportation, Coast Guard

2. State Actions and Programs

a. Dept. of Environmental Conservation

(1) Division of Construction Management (review and approval of plans and specifications for wastewater treatment facilities)

(2) Division of Lands and Forests (Navigation Aid Permits)

(3) Division of Regulatory Affairs (Protection of Waters Permits)

(5) Water Resources Program (Administration of Flood Plain Management Criteria for State Projects Law)

b. Office of Parks, Recreation and Historic Preservation -- (Nomination of properties to the Federal and/or State Register of Historic Places, funding for local historic preservation, conservation, or recreation activities)

c. Dept. of State -- (Funding for implementation of approved LWRPs)

d. Dept. of Transportation -- (Design, construction and rehabilitation of highways and parkways and bridges; actions related to the containment of oil-spills)

B. Federal and State Actions and Programs Necessary to Further the Local Waterfront Revitalization Program.

1. Federal Actions and Programs

a. Army Corps of Engineers

(1) Maintenance dredging of federal channels in Mamaroneck Harbor

(2) Mamaroneck/Sheldrake Flood Control Project

(3) Redesignation of channel and anchorage lines in Mamaroneck Harbor

2. State Actions and Programs

a. Dept. of State

(1) Implementation funds for completion of Harbor Management Plan and for Pilot B.T.I. (mosquito control project)

b. Dept. of Environmental Conservation, Division of Regulatory Affairs

(1) Permits necessary to test B.T.I. in a tidal wetland

c. Legislative Actions

(1) Enabling legislation to allow villages to offer tax incentives to appropriate areas of the waterfront in accordance with approved waterfront revitalization policies;

(2) Enabling legislation to allow villages, cities, and towns to participate equally in the establishment of drainage districts.

(3) Establishment of a New York State Flood

Control Program which provides funding for drainage basin studies, and provides for the equitable establishment of drainage districts and a larger role for Westchester County.

SECTION VII

**CONSULTATION WITH OTHER AFFECTED
FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES**

During the preparation of this Program, many major agencies were consulted and the preliminary draft of the Program was widely distributed and commented on. Comment on the draft Local Waterfront Revitalization Program has been sought and/or received from the following agencies:

Local:

Village of Mamaroneck:
Mayor Oppenheimer
Board of Trustees
Harbor Commission
Recreation & Parks Commission
Landmarks Advisory Committee
Historical Society
Zoning Board of Appeals
Planning Board
Village Manager
Village Attorney
Village Engineer
Building Inspector

Other Communities:
Larchmont
Town of Mamaroneck
City of Rye
Town of Rye
Scarsdale
Harrison
New Rochelle
White Plains

Regional (Westchester County):

Dept. of Environmental Facilities
Soil and Water Conservation District
Dept. of Planning
Dept. of Health
Dept. of Streams Control

State:

Department of State
Dept. of Environmental Conservation (Albany)
Dept. of Environmental Conservation (New Paltz)
Dept. of Transportation
N.Y. State Power Authority
N. Y. State Thruway Authority
N. Y. Council on the Arts

Regional (Tri-state area): Interstate Sanitation Commission

Federal:

U. S. Coast Guard
U. S. Army Corps of Engineers
N.Y. State Power Authority
Federal Emergency Management Agency
Environmental Protection Agency
Federal Highway Administration

[Comments may be found in the Final E.I.S]

SECTION VIII
LOCAL COMMITMENT

Local Commitment -- Description of Local Commitment
Activities

1. Mayor Oppenheimer and Village Board of Trustees -- Progress reports have been prepared on a monthly basis for 18 months. The preliminary draft LWRP was presented to the Mayor and Board September 1983, and the draft LWRP with draft EIS was presented May 1984. A public hearing was held in June and continued in July 1984, and written comment was received (as identified in the Final Environmental Impact Statement).

2. Neighborhood Associations -- Neighborhood associations were contacted and consulted. Contact was made by letter, phone, and included presentations given at association membership meetings. Seven associations submitted public comment in support of the program.

3. Recreation Industry -- Representatives of clubs, boatyards, and associated marine businesses were contacted and consulted. Contact was made by letter and phone, and included presentations. Several boatyards, four clubs and many local marine businesses submitted public comment in support of the program. One club and one boatyard oppose the creation of a Marine Zone.

4. General Public -- The Local Waterfront Revitalization Program was developed and discussed in public meetings held monthly by the Coastal Zone Management Commission, to which special interest groups were expressly invited. Newspaper coverage was encouraged and resulted in a series of articles which explained and publicized the program. In addition, articles were submitted to conservation organizations for their membership newsletters. As demonstrated in the Final Environmental Impact Statement, there is broad and enthusiastic public support for the program.

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Individuals Consulted:

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Jane Bedichek, President - Scarsdale Audubon Society
Allen Berrien, Governor's Coastal Area Management
Advisory Board, CT

Richard Blessing, Manager - Pelham Manor
 William Borghard, Commissioner, Westchester County Dept.
 of Environmental Facilities
 Al Ciesluk, N.Y. State Dept. of Environmental Conservation
 Andrew Cotroneo, U.S. Army Corps of Engineers
 James Cropper, Westchester County District Conservationist
 Carolyn Cunningham, Executive Director - Federated
 Conservationists of Westchester County
 Miriam Curnin, Mayor - Village of Larchmont
 George Danskin, N.Y. State Dept. of Environmental
 Conservation
 Guy Deuterman, Mamaroneck Boats & Motors
 Margaret Duke, N.Y. State Dept. of Environmental
 Conservation
 Peter Q. Eschweiler, Commissioner - Westchester County
 Dept. of Planning
 Ron Feldman, Village of Mamaroneck Recreation Dept.
 Thomas Forte, Village of Mamaroneck Building Inspector
 Joseph Fraioli, Manager - Village of Mamaroneck
 Elinor Fredston, Westchester County Environmental
 Management Council
 Robert Funicello, Deputy Mayor - Village of Mamaroneck
 Susan Gallion, Associate Planner - Westchester County Dept.
 of Planning
 Robert Galvin, Chairman - Washingtonville Neighborhood
 Association
 Hugh Greechan, Westchester County Dept. of Public Works
 Robert Hansen, Coastal Program Manager - N.Y. State Dept.
 of State
 Charles Hessler, Village of Mamaroneck Harbor Commission
 Ruth Hinerfeld, League of Women Voters of Mamaroneck
 John Hock, P.E., Manager - Westchester Joint Waterworks
 Robert Hohberg, Town of Mamaroneck Conservation Advisory
 Commission
 Wallace Irwin, Jr., Co-chair - Larchmont/Town of Mamaroneck
 Coastal Zone Management Committee
 Mary Anne Johnson, Town of Mamaroneck Conservation
 Advisory Commission
 Diane Keane, Legislator, 7th District, Westchester
 County Board of Legislators
 Marc Kent, Village of Mamaroneck Harbor Commission
 George Kirstein, President - Mamaroneck Historical Soc.
 Louise Leaf, City Planner - City of New Rochelle
 Barbara Long, County Liaison to Urban County/HUD
 & Village of Mamaroneck
 Steven Lopez, Sea Grant Coordinator
 Richard Manchon, President - Pure Foods, Inc.
 James Mancuzi, Harbor Master - Village of Mamaroneck
 Alan Mason, Chairman - Conservation Advisory Commission
 J. J. Mautner, Co-Chair - Village of Mamaroneck
 Harbor Commission
 John Muenzinger, Natural Resources Planner - Westchester
 County Dept. of Planning
 Charles McCaffrey, Jr., Coastal Specialist - N.Y. Dept.
 of State
 Howard McMichael, McMichaels Yacht Yard, McMichaels Yacht Sales

Peggy Moberg, former member, N.Y. City Planning Commission
 Daniel Moretti, Staff Researcher for Ogden Reid
 Lois Nathan, Village of Mamaroneck Recreation &
 Parks Commission
 Suzi Oppenheimer, Mayor - Village of Mamaroneck
 Richard Ottinger, Congressional Representative
 James Patton, Village of Mamaroneck Harbor Commission
 Robert Penna, N.Y. State Commission on Public/Private
 Co-operation
 John Perone, State Assemblyman
 Joseph Potenza, Westchester County Dept. of Planning
 Grace Huntley Pugh, Chair - Village of Mamaroneck
 Landmarks Advisory Committee
 Mrs. Bayard Read, Westchester County Soil & Water
 Conservation District
 Ogden Reid, former commissioner, N.Y. State Dept. of
 Environmental Conservation
 Mario Ricoszi, Assistant Engineer, Village of Mamaroneck
 Richard Ryan, Pelham Country Club
 Lawrence Salley, Deputy Commissioner, Westchester County
 Dept. of Planning
 Barry C. Samuel, Deputy Commissioner, Office of Con-
 servation & Historic Preservation, Westchester County
 Dept. of Parks, Recreation & Conservation
 Deirdre Simmons President - City Island Preservation
 Association
 Jesse Silberstein, CEO - Sealectro Corporation
 Robert Stapf, New York State Bureau of Land Management
 Frank Thiede, Village Engineer - Village of Mamaroneck
 Laura Tessier, District Manager - Westchester County
 Soil & Water Conservation District
 Whitney Tilt, Executive Director - Long Island
 Sound Taskforce
 Steve Tomacek, Westchester County District Planner
 Robert Wardwell, Economist - C.E. Maguire, Inc.
 Robert Wasp, Westchester County Dept. of Health
 Calvin Weber, Assistant Commissioner of Environmental
 Health, Westchester County Dept. of Health
 David Weld, Executive Director - The Nature Conservancy
 (Lower Hudson Chapter)
 Samuel S. Yasgur, County Attorney - Westchester County