

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF
THE PROGRAM

I. LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

The City of North Tonawanda has several mechanisms to implement the LWRP. The following paragraphs describe techniques which will be used to further implementation of the waterfront policies.

A. Existing Local Laws and Regulations

1. Flood Hazard Area Ordinance (Adopted 12/15/81):

The purpose of the law is to minimize public and private losses from flooding in areas designated as special flood hazard areas. The ordinance establishes general and specific standards for construction techniques to be used within such areas.

The law implements the following policies:

- (a) Policy 11A Re: Siting of Buildings to Minimize Property and Personal Damage.

Section 42-14 sub-section D(1) prohibits encroachments, including new construction, in the floodway. Although this does not prohibit development within the entire flood hazard area, it does prohibit new construction in floodways unless certain conditions are met.

- (b) Policy 14 Re: Construction of Erosion Protection Structures In a Manner Which Ensures No Measurable Increase in Flooding. Section 42-B requires a Development Permit before construction can occur in special flood hazard areas. A Development Permit requires certification by a registered professional engineer or architect that proposed floodproofing methods for non-residential structures would meet the floodproofing criteria specified in the law.

Approval of permits by the City Engineer shall be based on general and specific standards noted in Sections 42-13 and 42-14 respectively.

It should be noted that the minor erosion problems present in the City are occurring in flood hazard areas.

- (c) Policy 17 Re: Use of Non-Structural Flood Control Techniques.

Section 42-13 (General Standards) and 42-14 (Specific Standards) contain detailed requirements applicable to all construction proposed within special flood hazard areas.

- (d) Policy 33 Re: Non-Point Source of Water Pollution. Section 42-13 sub-section C 92 includes a requirement that new or replacement sanitary sewage systems be designed to

minimize the infiltration of flood waters into such systems. Further, sewage systems should be designed to eliminate the discharge of wastewaters into floodwaters.

2. Environmental Quality Review Law (1977): The purpose of the law is to provide for an environmental review of City actions which may have an effect on the environment.

The law implements the following policies:

- (a) Policy 8 Re: Protection of Fish and Wildlife Resources from Hazardous Wastes.
- (b) Policy 11A Re: Siting of Buildings in Floodplains to Minimize Property and Personal Damage.
- (c) Policy 15 Re: Mining, Excavation and Dredging in Coastal Waters.
- (d) Policy 21 Re: Waterfront Recreation.
- (e) Policies 23, 23A, 23B Re: Historic and Archaeological Resource Protection.
- (f) Policy 25 Re: Scenic Vistas of Local Significance.
- (g) Policy 28 Re: Ice Management Practices.
- (h) Policy 30, 30A, and 30B Re: Point Source Pollutant Discharges.
- (i) Policy 33, 33A and 37 Re: Non-Point Source Pollutant Discharges.
- (j) Policy 35 Re: Dredging and Dredge Spoil Disposal.
- (k) Policy 38 Re: Water Quality
- (l) Policies 39 and 39A: Solid and Hazardous Waste Disposal.
- (m) Policy 42 Re: Air Quality.

The local environmental quality review law through Section 37-4 (i.e. Statement regarding effect of proposed action), Section 37-9 (i.e. Preparation of draft environmental impact statement) and Section 37-15 (i.e. Written determination of findings), provides necessary procedures and guidelines for reviewing the potential environmental impact of specific actions.

For example, an action proposed within a flood hazard area would be identified and its impact on, or potential damage to, personal property noted.

3. Subdivision Regulations: The purpose of these regulations is to insure the orderly, efficient, and economic development of the City. This is carried out through preliminary and final review

of proposed plats by the City Planning Commission. This review is designed to insure proper layout and construction of streets, utility systems, drainageways, and related matters.

Subdivision regulations are important in order to implement the following policy:

- (a) Policy 33A Re: Best Management Practices to Control Sewer Overflows into the Barge Canal via the Storm Sewer System.

Section 4.109 includes certain design standards for drainage improvements. These include determining the proper sizing of drainage pipes, and requiring an evaluation of the impact of new developments on existing downstream drainage facilities.

Section 4.205 requires that storm sewers be installed in all sub-divisions.

- 4. Executive Law - Article 2B - City of North Tonawanda Emergency Management Plan (adopted: 11/25/81): The purpose of the Plan is to outline organizational responsibility, resource availability, and emergency operational procedures within all departments in the City in order to protect life, health, and property during a natural or man-made disaster.

The law assists in implementing the following policies:

- (a) Policy 11A Re: Flooding.

Evacuation procedures are detailed in the plan which would apply to waterfront areas in cases of severe coastal storms.

- 5. Zoning Ordinance (adopted 12/21/59): The purpose of the Ordinance is to promote the public health, safety, and general welfare of City residents. This is accomplished through the establishment of various land use zones within the City and accompanying regulations pertaining to land use type, bulk, and location.

The ordinance assists in implementing the following policies:

- (a) Policy 1B Re: Revitalize the downtown area. The downtown sub-area is zoned 'General Commercial' and 'Light Manufacturing.' Sections 11 and 12 of the Ordinance permits a variety of uses in these districts consistent with the City's goals of revitalizing downtown as a retail and employment center.
- (b) Policy 2 Re: Facilitate the siting of water-dependent uses on or adjacent to coastal waters; and Policy 2A Re: Water-dependent uses along the Niagara River.

The Ordinance permits boat sales, rental, service and storage at those locations along the Barge Canal where existing marinas are located and along the entire length of the Little River and Niagara River.

B. Additional Local Laws Adopted to Further Implementation of the LWRP.

1. Zoning Law revisions - Waterfront District: The Niagara River and Tonawanda Island sub-area, as shown in Figure 6A, is characterized by a wide variety of land uses. The former industrial zoning permitted virtually all uses with little control on design, landscaping, minimum site development requirements. In addition, the location of the area adjacent to the Niagara River and Little River was not recognized by any special regulatory requirements within the Ordinance.

In order to remedy this problem and also to insure that any actions related to zoning within the Niagara River and Tonawanda Island sub-areas are consistent with LWRP policies, a new Waterfront District was enacted within the area noted as WD on Figure 22A. The actual revision to the Ordinance is included in Appendix B to this document.

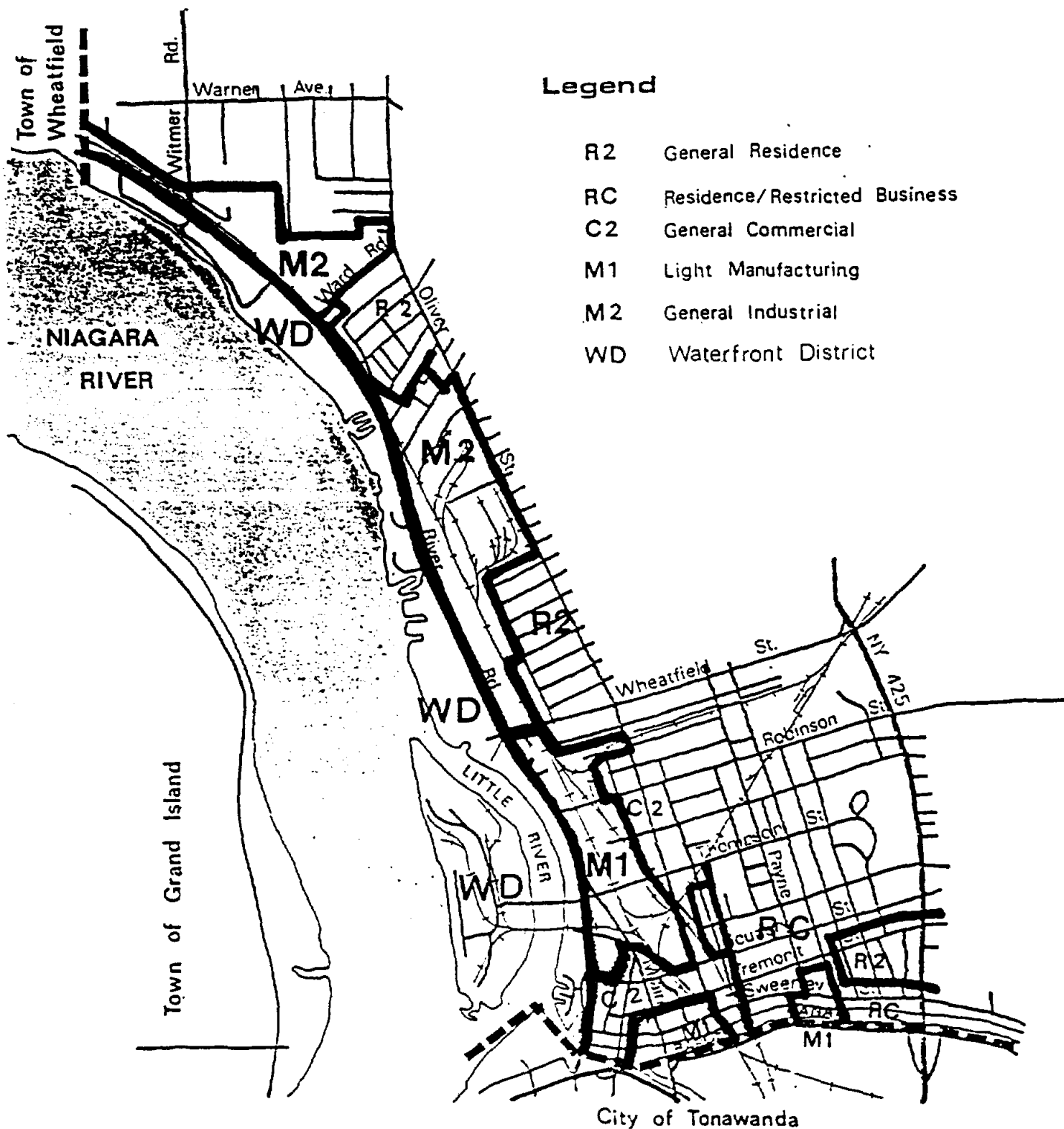
This new district provides flexibility in allowing various types of land uses which are either dependent on or enhanced by a waterfront location, while excluding certain activities such as junkyards, truck terminals, and dumps/slag piles. Principal uses allowed for those properties having frontage on the Niagara River are those which are water-dependent, such as marinas, water-dependent industry, docks, boat launches, etc. In addition, a variety of non-water-dependent uses are allowed through special permit, provided that a public walkway along the shoreline is provided, or that a water-dependent use is established in conjunction with the primary use. A site plan is also required for any new use or major expansion to an existing use within this district. As part of the process, applicants will be required to provide detailed site information (e.g. landscaping plan, drainage contours, information on access, parking and loading areas) for review by the City Planning Commission. All site plans must also be consistent with the LWRP. The law implements the following policies:

- (a) Policies 1 and 1A Re: Revitalizing Vacant Parcels on Tonawanda Island and along the Niagara River.

The district maintains a flexibility in permitted uses, while providing a preference for water-dependent uses and requires extensive documentation by the applicant regarding proper site layout, compatibility of uses, maintenance of water views, etc. This will begin to lay the framework for improving the physical appearance of the area, thereby increasing the marketability of many vacant parcels adjacent to the water's edge.

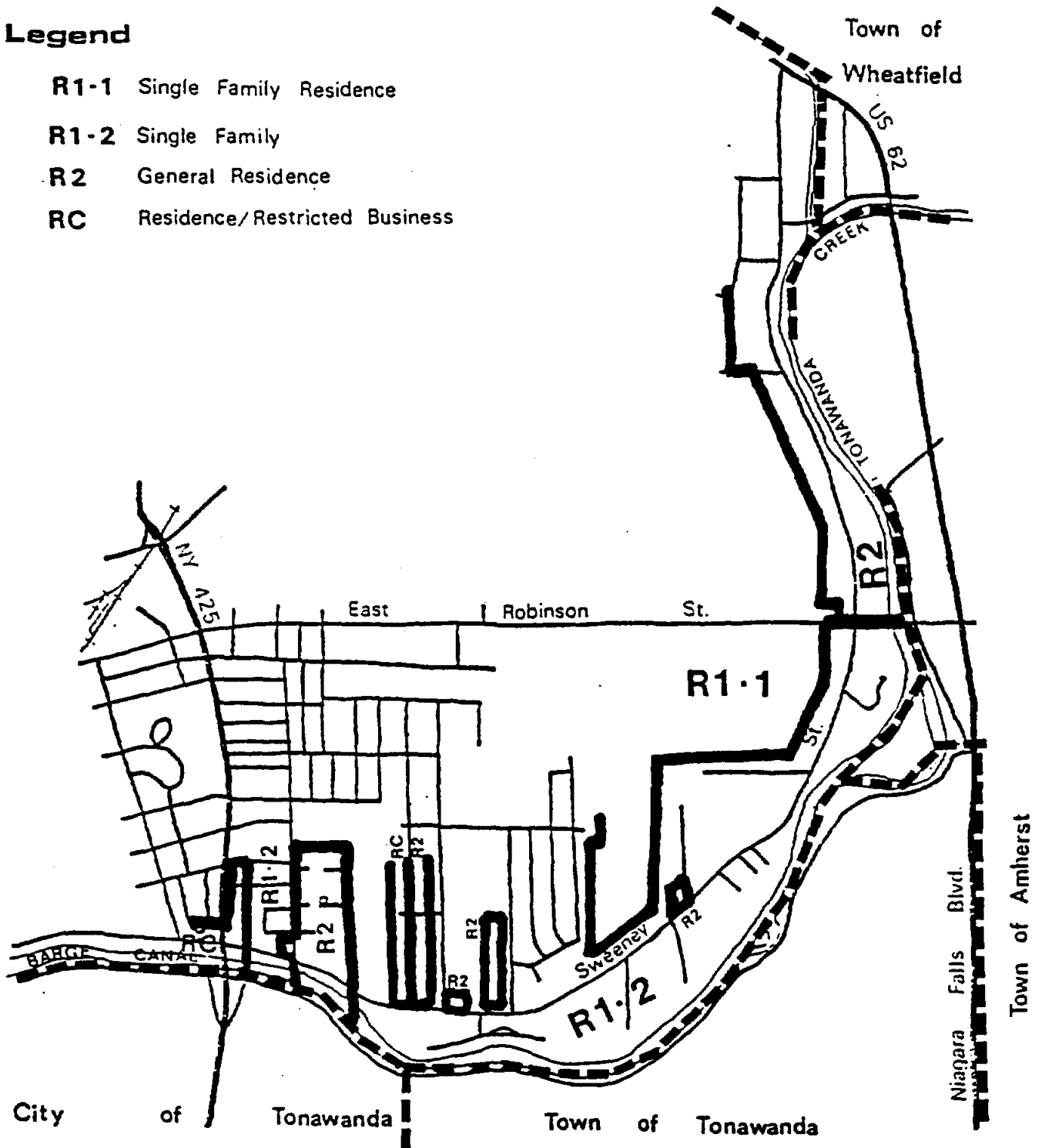
- (b) Policies 2 and 2A Re: Encourage Water Dependent Uses Adjacent to the Niagara River. Policies 2 and 2A Re: Encourage Water Dependent Uses Adjacent to the Niagara River.

Primary uses will be only those which are dependent on a waterfront location.



Legend

- R1-1 Single Family Residence
- R1-2 Single Family
- R2 General Residence
- RC Residence/Restricted Business

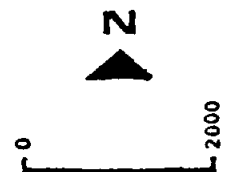


City of North Tonawanda

Local Waterfront Revitalization Program

Figure 22B: PROPOSED ZONING

Stuart I. Brown Associates



- (c) Policy 14 Re: Ensuring that Erosion Protection Structures do not Cause any Increase in Flooding or Erosion.

The Planning Commission shall examine the proposed design and function of all waterfront improvements, including erosion protection structures, relative to their ability to carry out their stated purposes.

- (d) Policy 21C Re: Facilitate Recreation Boating on the Little River.

See paragraph a (2) above.

- (e) Policies 22 and 22A Re: Multiples Uses.
The Waterfront Zoning District will require non-water-dependent shoreline uses to provide public access along the Niagara River.

- (f) Policy 25A Re: Protecting Scenic Vistas along River Road.

A review criterion for approving site plans will be consistency with LWRP policies and more specifically, the quality and maintenance of views to the Niagara River.

- (g) Policy 36A Re: Prohibiting the Storage of Petroleum and Other Hazardous Materials adjacent to the Little River.

As all zoning actions in the Waterfront District will be reviewed for consistency with LWRP policies, any proposed storage activity adjacent to the Little River will be viewed in a negative light by the City Planning Commission.

- (h) Policy 39A Re: Solid and Hazardous Waste Prohibition in Coastal Zone.

Such uses are not permitted within the Waterfront District.

2. Local Waterfront Revitalization Program Consistency Law.

The LWRP Consistency Law requires all Type 1 and Unlisted actions (as defined by the SEQRA implementation regulations) that would be directly undertaken, approved, or funded, by the City to be reviewed by the City Planning Commission for consistency with the City of North Tonawanda LWRP. The Law further prohibits such actions from being carried out, unless the lead agency finds and certifies that the action is consistent with the policies and purposes of LWRP. This applies equally to actions involving the City Council and City agencies. By adoption of the local law, the City Council is legally committing itself and its agents to comply with the provisions of the LWRP.

The LWRP Consistency Law will assist in the implementation of all of the local waterfront policies. All major actions proposed within the waterfront area by City agencies will require

certification of their consistency with waterfront policies by the lead agency prior to approval. See Appendix C for the text of this local law.

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

Reference should be made to Figure 23 which provides a blueprint for implementing the City's LWRP over the next 15 years. The following narrative provides more specific information about how each action furthers the implementation of LWRP policies. This is further summarized in Figure 24.

A. Local Government Actions Necessary to Implement the LWRP

1. Waterfront park improvements will be made at Fisherman's Park, Mayor's Park, City Boat Docks, Botanical Gardens, and Service Drive Launch Ramps. These were noted in Section IV. Such improvements will aid in implementing Policy 9A (re: expand use of recreational fish resources) by increasing fishing access opportunities (e.g. reconstruction of boat docking and launch area at Botanical Gardens).
2. Parking improvements at the City Boat Docks and Service Drive Launch Ramps will assist in implementing Policy 19B (re: access improvement to the two areas). In addition, the park renovation activities at each park will certainly serve to implement Policy 19A (re: protect and maintain access to existing waterfront parks).

As the proposed improvements all serve to enhance water dependent recreation, their completion will aid in implementing the uses at waterfront parks.

3. Bicycle routes are proposed in areas noted on Figures 20A and 20B and described in Section IV. The Class I facility off River Road is proposed as a shared project with Niagara County while the other facilities are recommended as City facilities.

The proposal will serve to implement Policy 1A (re: revitalization of vacant parcels) by incorporating new recreational uses into private redevelopment efforts. Policy 2A (re: providing for a mix of water related recreational uses along the Little River) will also be implemented by the Class I trail due to the bicycling and hiking activities which will occur on the facility and which will be enhanced by the location of the shoreline.

The bicycle/trail system will further increase public access to waterfront parks, thereby implementing Policy 19A (re: protect and maintain the types of access to existing waterfront parks).

As many of the large vacant parcels along the Niagara River could be incorporated into the trail system through finger extension, the proposal would also aid in implementing Policy 22A (re: multiple use of large, vacant parcels along Niagara River).

PROPOSAL	LEAD AGENCY	TIMETABLE	ESTIMATED COST (ORDER OF MAGNITUDE)	FUNDING SOURCES
A. NIAGARA RIVER				
1. Hazardous Waste Clean-up - Gratwick-Riverside Area	1. Niagara Mohawk Power Corp.	1. 1988 - 1992	1. Unknown	1. -Federal Superfund -NYS Environmental Bond Act -State Superfund -Private
2. Redevelopment of Former Kopper's Plant, Ashland Oil Property, and Other Large, Vacant Parcels	2. Private	2. 1987 - 1990	2. Unknown	2. -Private
3. Redevelopment of Former Tonawanda Iron Works Site	3. Private	3. 1987 - 1990	3. \$13,000,000*	3. -Private -Federal Economic Assis- tance Programs -U.S. Environmental Pro- tection Agency - Infra- structure Program -NYS Department of Environmental Conserva- tion Infrastructure Pro- grams
4. Hazardous Waste Clean-up - Occidental - Durez	4. Occidental Corp.	4. 1988 - 1992	4. Unknown	4. -See #1

Figure 23 IMPLEMENTATION BLUEPRINT

*Estimated cost of commercial development. Other development options (e.g. residential) would alter cost.

PROPOSAL	LEAD AGENCY	TIMETABLE	ESTIMATED COST (ORDER OF MAGNITUDE)	FUNDING SOURCES
✓ 5. Fisherman's Park Improvements	5. City of No. Tonawanda	5. 1987 - 1990	5. \$55,000	5. -Federal Dingell - Johnson Fund -NYS Coastal Management -NYS Aid to Local Governments -City of No. Tonawanda
6. Class I Bicycle Path	6. City of No. Tonawanda/ Niagara County	6. 1995 - 2000	\$100,000 - 6. \$100,000*	6. -Federal Aid to Urban Systems Program -Federal Land and Water Con- servation Fund -Niagara County -City of No. Tonawanda
7. Waterfront District- Zoning Change	7. City of No. Tonawanda	7. 1987	7. NA	7. NA
7a. Implementation of an Industrial Pre- treatment Program at City SIP	7a. City of No. Tonawanda	7a. Underway	7a. \$75,000	7a. City of No. Tonawanda
7b. Implementation of Final Composite Corrective Plan for City SIP	7b. City of No. Tonawanda	7b. 1987	7b. \$1,000	7b. City of No. Tonawanda
B. TONAWANDA ISLAND				
8. Waterfront District - Zoning Change	8. See #7	8. 1987	8. NA	8. NA
9. Fishing Access Facility	9. City of No. Tonawanda/ Niagara County	9. 1987 - 1990	9. \$100,000	9. -Federal Dingell - Johnson Fund -NYS Environmental Bond Act -NYS aid to Local Governments -Niagara County -City of No. Tonawanda

Figure 23 IMPLEMENTATION BLUEPRINT

*Assumes no land acquisition

PROPOSAL	LEAD AGENCY	TIMETABLE	ESTIMATED COST (ORDER OF MAGNITUDE)	FUNDING SOURCES
10. Tonawanda Island - Site Redevelopment Plan	10. City of No. Tonawanda	10. 1987 - 1990	10. \$35,000	10. - NYS Coastal Management - WNY Economic Development Corporation - NYS Aid to Local Governments - City of No. Tonawanda
11. Marina Expansion	11. Smith Boys Marina, Inc.	11. 1987 - 1990	11. Unknown	11. -Private
C. <u>DOWNTOWN</u>				
12. Downtown Redevelopment	12. City of No. Tonawanda	12. 1987 - 1990	12. \$2,744,900	12. -Federal Small Cities Prog. -Private -City of No. Tonawanda
13. Class III - Bike Path (Coudry-Manhattan-Sweeney)	13. City of No. Tonawanda	13. 1995 - 2000	13. \$2,000	13. -City of No. Tonawanda
14. Sweeney St. Docks - Completion	14. City of No. Tonawanda	14. 1987	14. \$30,000	14. -NYS Aid to Local Governments
D. <u>BARGE CANAL - WEST</u>				
15. Lumber Mill Museum	15. Private, Not-for-Profit Organization	15. 1990 - 2000	15. Unknown	15. -Private -WNY Economic Development Corp. -Niagara County -City of No. Tonawanda

Figure 23 IMPLEMENTATION BLUEPRINT

PROPOSAL	LEAD AGENCY	TIMETABLE	ESTIMATED COST (ORDER OF MAGNITUDE)	FUNDING SOURCES
16. Erie Canal Boat Dockage	16. Private, Not-for-Profit Organization	16. 1990 - 2000	16. Unknown	16. -WNY Economic Development Corporation -Niagara County -City of No. Tonawanda -Private
17. Class I and III Bicycle Path System with Connector to Herschell Carousel Museum	17. City of No. Tonawanda NFTA	17. 1990 - 2000	17. \$50,000 - \$85,000*	17. -Federal Land and Water Conservation Fund -NYS Aid to Local Governments -NFTA -City of No. Tonawanda
18. Landscaping Improvements - Along Canal Bank	18. New York State	18. 1987 - 1990	18. \$5,000	18. NYS Department of Transportation - Canal Maintenance Program
19. Canal Sign System	19. City of No. Tonawanda	19. 1987 - 1990	19. \$500 - \$1,000	19. -City of No. Tonawanda -Niagara County -NYS Aid to Local Governments
20. Increased Parking Access - DeGraff and Other Private Lots	20. City of No. Tonawanda	20. 1990 - 2000	20. Unknown	20. City of No. Tonawanda

Figure 23 IMPLEMENTATION BLUEPRINT

*Does not include land acquisition

PROPOSAL	LEAD AGENCY	TIMETABLE	ESTIMATED COST (ORDER OF MAGNITUDE)	FUNDING SOURCES
21. Mayor's Park Improvements	21. City of No. Tonawanda	21. 1987 - 1990	21. \$64,300	21. -NYS Aid to Local Govern- ments -NYS Coastal Management -City of No. Tonawanda
22. Service Drive Launch - Parking Improvements	22. City of No. Tonawanda	22. 1987 - 1990	22. \$22,000	22. See #5
23. Mayor's Park Expansion	23. City of No. Tonawanda	23. 1990 - 2000	23. \$300,000 - \$500,000	23. -Federal Land and Water Conservation Fund -NYS Coastal Management Program -City of No. Tonawanda
24. Class III Bicycle Trail	24. City of No. Tonawanda	24. #17	24. \$15,000	24. -NYS Aid to Local Govern- ments
25. Canal Sign System	25. See #19	25. #19	25. #19	25. #19
26. Botanical Gardens Improvements	26. City of No. Tonawanda	26. 1987 - 1990	26. \$67,000	26. See #21
F. <u>ALL AREAS</u>				
27. Environmental Quality Review	27. City of No. Tonawanda	27. 1987	27. NA	27. NA
28. Program for Canal Events	28. Chamber of Commerce	28. 1988	28. \$30,000 (annual)	28. -WNYEDC -City of No. Tonawanda -City of Tonawanda -Erie County -Niagara County -Private

FIGURE 23 IMPLEMENTATION BLUEPRINT

POLICY		LOCAL ACTIONS
1. Policy 1	Waterfront Redevelopment	1. See #2, #3
2. Policy 1A	Redevelop Large, Vacant Parcels in Niagara River and Tonawanda Island Sub-areas	2. Waterfront Zoning District, Environmental Quality Review Law; Tonawanda Island - Site Redevelopment; Hazardous Waste Clean-up; Private Redevelopment Efforts; Expansion of Smith Boys Marina
3. Policy 1B	Revitalize Downtown	3. Environmental Quality Review Law; Federal Small Cities Program; City Docks Project; Development of Lumber Museum; Canal Boat Replica; Program for Canal Events; Zoning Ordinance
4. Policy 2	Water Dependent Uses	4. See #5; Zoning Ordinance
5. Policy 2A	Water Related Uses - Adjacent to Niagara River	5. Waterfront Zoning District; Environmental Quality Review Law; Bicycle Route Proposals; New Fishing Access Facility
6. Policy 3	Develop State's Major Ports	6. State Implementation
7. Policy 4	Strengthen Smaller Harbor Areas	7. Not Applicable
8. Policy 5	Locate Development in Areas with Public Services	8. Environmental Quality Review Law; Private Redevelopment Efforts

Figure 24
POLICY IMPLEMENTATION - LOCAL ACTIONS

POLICY			LOCAL ACTIONS
9.	Policy 6	Expedite Permit Procedures	9. Environmental Quality Review Law and Waterfront Zoning District
10.	Policy 7	Protect Significant Fish and Wildlife	10. Not Applicable
11.	Policy 8	Protect Fish and Wildlife from Pollutants	11. Environmental Quality Review Law; Hazardous Waste Clean-up
12.	Policy 9	Expand Recreational Use of Fish Resources	12. See #13
13.	Policy 9A	Expand Recreational Use of Fish Resources in Niagara River, Barge Canal-East Sub-area, and Little River	13. Environmental Quality Review Law; Waterfront Park Improvements; New Fishing Access Facility; Hazardous Waste Clean-up
14.	Policy 10	Commercial Fishing	14. Not Applicable
15.	Policy 11	Flood Protection	15. Not Applicable
16.	Policy 11A	Flood Protection in Special Flood Hazard Areas	16. Flood Hazard Law; Environmental Quality Review Law; City Emergency Management Plan
17.	Policy 12	Natural Protective Features	17. Not Applicable
18.	Policy 13	Erosion Protection Structures - Design	18. Not Applicable
19.	Policy 14	Prevent Increase in Flooding and Erosion from Erosion Protection Structures	19. Flood Hazard Law; Waterfront Zoning District; Environmental Quality Review Law
20.	Policy 15	Mining, Excavation, Dredging	20. Environmental Quality Review Law

Figure 24
POLICY IMPLEMENTATION - LOCAL ACTIONS

POLICY		LOCAL ACTIONS
21.	Policy 16 Public Funds for Erosion Protection Structures	21. City Budgetary Policy; Environmental Quality Review Law
22.	Policy 17 Non-Structural Flood and Erosion Protection Measures	22. Flood Hazard Law; Environmental Quality Review Law
23.	Policy 18 Safeguard Vital Interests of State	23. State Implementation
24.	Policy 19 Public Access	24. See #25, #26
25.	Policy 19A Maintain Access to City Waterfront Parks	25. Environmental Quality Review Law; Waterfront Park Improvements; Bicycle Route Proposals; Canal Signage System
26.	Policy 19B Improve Access to Service Drive Ramps and City Docks	26. Environmental Quality Review Law; Waterfront Park Improvements; City Docks Project
27.	Policy 20 Access to the Publicly Owned Foreshore	27. Environmental Quality Review Law
28.	Policy 21 Water Dependent Recreation	28. #29, #30, #31, #32
29.	Policy 21A Priority to Water Dependent Recreation at City Waterfront Parks	29. Environmental Quality Review Law; Waterfront Park Improvements
30.	Policy 21B Encourage Water Dependent Uses at Fire Training Tower	30. Environmental Quality Review Law; New Fishing Access Facility
31.	Policy 21C Recreation Boating - Little River	31. Environmental Quality Review Law; Waterfront Zoning District
32.	Policy 21D Provide Water Enhanced Recreation on Vacant State Land within Barge Canal East Sub-area	32. Environmental Quality Review Law; Expansion of Mayor's Park

Figure 24

POLICY IMPLEMENTATION - LOCAL ACTIONS

POLICY			LOCAL ACTIONS	
33.	Policy 22	Multiple Use	33.	See #34
34.	Policy 22A	Multiple Use of Large, Vacant Parcels	34.	Waterfront Zoning District; Environmental Quality Review Law; Bicycle Route Proposal; Private Redevelopment Efforts
35.	Policy 23	Historic and Scenic Resources	35.	See #36, #37, #38
36.	Policy 23A	Protect Riviera Theatre	36.	Environmental Quality Review Law
37.	Policy 23B	Archaeological Sites	37.	Environmental Quality Review Law
38.	Policy 23C	Enhance Lumber Milling Heritage	38.	Environmental Quality Review Law; Development of Lumber Museum
39.	Policy 24	Scenic Resources - State Significance	39.	Not Applicable
40.	Policy 25	Natural and Man-made Resources - Local Significance	40.	See #41
41.	Policy 25A	Protect Scenic Vistas Along Sweeney Street and River Road	41.	Environmental Quality Review Law; Waterfront Zoning District; Canal Signage System
42.	Policy 26	Agricultural Protection	42.	Not Applicable
43.	Policy 27	Energy Facilities	43.	State Implementation
44.	Policy 28	Ice Management	44.	Environmental Quality Review Law
45.	Policy 29	Development of Energy Resources	45.	State Implementation
46.	Policy 30	Water Pollution - Point Source	46.	See #47 #48
47.	Policy 30A	Point Source Pollution - Sewage Treatment Plant	47.	Environmental Quality Review Law; Industrial Pre-Treatment Program; Final Composite Corrective Plan for STP

Figure 21
POLICY IMPLEMENTATION - LOCAL ACTIONS

POLICY		LOCAL ACTIONS
48.	Policy 30B Point Source Pollution - Occidental-Durez, Battenfeld Grease and Oil	48. Environmental Quality Review Law
49.	Policy 31 Coastal Water Classifications and Water Quality Standards	49. State Implementation
50.	Policy 32 Alternative Sanitary Waste Systems	50. Not Applicable
51.	Policy 33 Storm Water Runoff and Combined Sewer Overflows	51. See #52
52.	Policy 33A Sewer Overflows - Barge Canal Area	52. Environmental Quality Review Law; Subdivision Regulations; Flood Hazard Ordinance
53.	Policy 34 Discharge of Waste from Vessels	53. State Implementation
54.	Policy 35 Dredging	54. Environmental Quality Review Law
55.	Policy 36 Shipment and Storage of Petroleum and Hazardous Materials	55. See #56
56.	Policy 36A Prohibit Storage of Petroleum and Hazardous Materials in all Areas Except Sections of Niagara River Sub-area Bordering Niagara River	56. Waterfront Zoning District
57.	Policy 37 Non-Point Source of Water Pollution	57.. Environmental Quality Review Law
58.	Policy 38 Water Quality	58. Environmental Quality Review Law; Industrial Pre-Treatment Program; Final Composite Corrective Plan for STP; Hazardous Waste Clean-up
59.	Policy 39 Solid and Hazardous Waste Disposal	59. See #60

Figure 24
POLICY IMPLEMENTATION - LOCAL ACTIONS

POLICY		LOCAL ACTIONS
60.	Policy 39A Prohibit Solid and Hazardous Waste Disposal in Coastal Zone	60. Environmental Quality Review Law; Waterfront Zoning District
61.	Policy 40 Industrial Effluent	61. State Implementation
62.	Policy 41 Air Quality	62. Environmental Quality Review Law
63.	Policy 42 Land Area Reclassification Due to Air Quality Change	63. Not Applicable
64.	Policy 43 Acid Rain	64. State Implementation
65.	Policy 44 Wetland Protection	65. Not Applicable

Figure 24
POLICY IMPLEMENTATION - LOCAL ACTIONS

4. A new fishing access facility on Tonawanda Island in the vicinity of the Niagara County Fire Training Center (see Figure 20A) would include fishing overlooks, 270 linear feet of pier space vertical to the Little River and parking for 20 automobiles. A cooperative agreement would need to be worked out with Niagara County.

With new fishing access opportunities for the public on the Little River, the action would aid in implementing Policy 9A (re: expand use of recreational fish resources), Policy 21B (re: encourage water dependent recreation at the Niagara County Fire Training Center), and Policy 2A (re: provide for a mix of water related uses along the Little River).

5. An additional local proposal for the LWRP is the development of a Tonawanda Island-Site Redevelopment Plan. The City-sponsored undertaking would produce a solid action plan for improving circulation, utility placement and the aesthetic character of the Island. Such a plan would serve to implement Policy 1A (re: revitalization of Tonawanda Island) by setting the framework for physical improvements to the Island. The latter, if carried out, would improve the marketability of the area for new development, increase land values and expand the local tax base.
6. The City should continue the downtown redevelopment efforts initiated in recent years utilizing a variety of potential sources of revenue. This will continue the implementation of Policy 1B (re: revitalize the City's downtown area).
7. Completion of the City Docking Facilities in 1987 will also aid in the implementation of Policy 1B (re: revitalize the City's downtown area) by providing good lighting service to the area.
8. A Canal Sign System coordinated with a similar system for the downtown area is proposed for Sweeney Street. This would create a unified corridor to inform motorists and bicyclists, about parks, boat launch areas, restaurants, scenic views and direct people using Sweeney Street to City attractions located away from the Canal (e.g. Carousel Museum). A good example of such a sign system is located along the Niagara River parkway in Canada between Fort Erie and Niagara On-the-Lake.

Such a system would aid in implementing policy 25A (re: protecting scenic vistas along Sweeney Street) by drawing attention to the visual quality of the area and construction attractive informational signs that blend into the physical character of the Sweeney Street area.

9. Parking improvements along Sweeney Street as noted in Section IV, would also aid in implementing Policy 25A by centralizing parking in specific areas north of Sweeney Street. This would eliminate the random parking which presently occurs on State-owned land south of the road which not only blocks views, but also creates an unsightly environment.

The proposal would also aid in carrying out Policy 19A (re: protect and maintain access to State owned recreation areas along Barge Canal). Increasing the availability of parking spaces at convenient locations would make the Barge Canal waterfront more accessible to area residents.

10. The expansion of Mayor's Park to the east on 18 acres of land as described in Section IV, would directly implement Policy 21D (re: water enhanced recreation will be provided on vacant State land in the Barge Canal East sub-area). The additional acreage would provide for an increase in picnic facilities and other passive recreation pursuits.
11. Implementation of an Industrial Pre-treatment Program, as required by the "Order On Consent" issued by the New York State Department of Environmental Conservation (DEC) at the sewage treatment plant will further the implementation of Policy 30A (re: discharge of pollutants at the sewage treatment plant shall conform to all State and Federal standards) and Policy 38 (re: protect surface water quality). The local program will establish methods to discharge into the municipal system. This is intended to protect the system, as well as limit damage to the environment that may occur from such discharges.
12. Implementation of the Final Composite Corrective Plan for the Sewage Treatment Plant as required in the Consent Order from the DEC will also aid in implementing Policy 30A and Policy 38 as noted in paragraph (k) above. The Plan was submitted to the DEC in April 1986 and outlined remedial measures to occur at the plant which would bring the facility into compliance with existing State and Federal water quality laws.
13. A comprehensive, aggressive Program for Canal Events should be pursued. The Cities of North Tonawanda and Tonawanda should serve as the initial organizing forces. The major purpose of this recommendation is to attract more people to the downtown area through a series of annual Canal events. Current examples presently include Canalfest and the Boat Show. These can certainly be expanded to include art shows and farmer's markets along the Canal banks, antique boat parades, tall ship visits, and other attractions. A brochure is being developed for the 1986 Canal Fest to inform people of the many assets and attractions in the Tonawandas.

The Chamber of Commerce of the Tonawandas could expand this part of its annual work program. If funds were available, a part time staff person could be assigned solely to work on an intensive promotional program. The Chamber's jurisdiction on both Cities, as well as its extensive contacts with downtown merchants would make this expanded promotional program a viable initiative.

A possible extension of the Chamber's role in the promotion of the Canal would direct technical assistance to the City or

other non-profit corporations in developing a Lumber Mill Museum and permanent dockage of a canal packet boat along the waterway.

Financial assistance from both Cities more than likely would be necessary during the initial organizational years to offset salary, and promotional costs. However, as the events become successful, certain fees could be charged to vendors participating in the program (e.g. arts and crafts show display fees) to help pay the administrative costs.

B. Private Actions Necessary to Implement the LWRP

1. Hazardous Waste Clean-Up in the Gratwick-Riverside Area, as well as the Occidental Durez Waste Site Areas by Niagara Mohawk Power Corporation and Occidental Chemical Corporation, respectively, will aid in implementing Policy 1A (re: revitalize vacant Niagara Mohawk Power Corporation site). It is hoped that the eventual site clean-up will permit private redevelopment of the parcel.

Private action will also aid in carrying out Policy 8 (re: protect fish resources from hazardous wastes) by eliminating contaminant migration into the fishery food chain. Policy 9A (re: expand recreational use of fish resources in the Little River and Niagara River) will also be served by the above action. The site clean up should improve water quality, thereby increasing the viability of the local fishery.

Finally, Policy 38 (re: quality of surface and groundwater will be conserved and protected) will be furthered by site clean up. Off-site migration to the Niagara River of contaminants would be eliminated and contained by the action.

2. Private redevelopment of the former Kopper's Plant, former Tonawanda Iron and Steel Parcel, Ashland Oil Property, former International Paper Plant Site, and other large vacant parcels in the Niagara River and Tonawanda Island sub-areas will further implementation of Policy 1A (re: waterfront redevelopment), Policy 5A (re: locate new development in areas having existing public services), and Policy 22A (re: incorporate multiple use design into private redevelopment proposals).
3. Expansion of Smith Boys Marina on Tonawanda Island will assist in carrying out the same policies noted in paragraph (b) above. In addition, such an expansion would further the implementation of Policy 1A (re: revitalize vacant parcels on Tonawanda Island) by possibly coordinating slip space rental with new waterfront housing on the northern tip of the Island. The latter parcel is also owned by Smith Boys, Inc.
4. Development of a Lumber Museum, as noted in Section IV, by a private, not-for-profit organization would further Policy 1B (re: revitalize the downtown area) by attracting area residents and

tourists to the proposed downtown museum. An infusion of additional spending dollars to the CBD would further complement other downtown redevelopment projects underway.

The proposal would also implement Policy 23C (re: enhance the City's heritage as a lumber milling center). A regional museum containing historical documents, period facsimiles and other items reflecting the lumber mill activity in the area during the late 1800's would educate people about the significance of the industry to area development.

5. Permanent location of a Replica of an Old Erie Canal Packet Boat or other type of Canal Barge in the Barge Canal, at a general location shown in Figure 20A would also assist in implementing Policy 1B (re: downtown redevelopment) for the same reasons noted in paragraph d. This proposal could possibly be pursued by the same organizations that would undertake the Lumber Mill Museum.

It should be noted that although the Lumber Mill Museum and Canal Boat proposals are suggested for implementation by the private sector, it is important for the City to assume the role of coordinator. The City should initiate the concept by bringing together area historical societies, the Chamber of Commerce and the downtown merchant's organization as well as County and State Officials to determine proper organizational strategies. The City should remain in the forefront of initial organizational efforts until a management plan is prepared and agreed to by participating organizations. Some local funds may be necessary to underwrite land/building acquisition or development costs, etc.

III. MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

- A. Lead Agency and Local Official: The City Council shall be considered the lead agency for managing the LWRP, while the Mayor will be the local official responsible for overall program coordination within the City government.
- B. Implementation Responsibilities: The following provides a brief overview of how various City agencies, boards and commissions will be involved in LWRP implementation.
 1. Mayor's Office: As lead local official, the Mayor will be responsible for directing City agencies to utilize the LWRP in their actions, including zoning and environmental reviews, as well as initiating those other local actions necessary for LWRP implementation.
 2. City Council: In its role as lead agency for environmental reviews, the Council shall be responsible for certifying the consistency of Type I or unlisted actions with the LWRP. City Council will also provide the capital funding as required to carry out those actions which are the responsibility of the City to implement.

3. City Engineer: The Engineer shall be responsible for administering the Flood Hazard Ordinance and the Environmental Quality Review Law. Both ordinances require implementation in a manner that is consistent with the LWRP.
 4. City Building Inspector: Responsibilities shall include enforcing the provisions of the Zoning Ordinance. The Building Inspector shall also assist the Zoning Board of Appeals in reviewing proposed zoning actions for consistency with the LWRP.
 5. Planning Commission: Responsibilities include review of Type I and unlisted actions for consistency with the LWRP pursuant to provisions of the LWRP Consistency Law. Review recommendations will be submitted to the appropriate lead agency for their consideration in certifying the actions consistency with the LWRP. The Planning Commission will also review and, where appropriate, approve site plans submitted for uses in the Waterfront District. A major review criterion will be consistency with the LWRP.
- C. Local Consistency Procedures: Reference should be made to Appendix B (i.e. Zoning Ordinance Amendments) and Appendix C, (i.e. Proposed Environmental Quality Review Law) Page b-vii.
- D. Local Procedures for Review of Proposed Actions Involving State and Federal Consistency Determinations.

Notification of State and Federal action to be undertaken within the City's Waterfront area will be referred to the City Planning Commission for review. Such reviews will be undertaken in accordance with procedures established by the New York State Department of State. See Appendix D for a detailed description of such procedures.

IV FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

Reference should be made to Figure 23 for a summary of the cost, funding source, and timetable for LWRP implementation.