

**SECTION III**

**LOCAL POLICIES AND APPLICABLE STATE POLICIES**

## LOCAL POLICIES AND APPLICABLE STATE POLICIES

### DEVELOPMENT POLICIES

- POLICY 1** RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.
- POLICY 1A** RESTORE, REVITALIZE AND REDEVELOP THE COMMERCIAL CORE AREA OF THE VILLAGE'S WATERFRONT WITH EMPHASIS ON STABILIZING AND STRENGTHENING EXISTING BUSINESSES, IMPROVING THE COASTAL IMAGE, PRESERVING HISTORIC CHARACTER, PROMOTING WATER-ENHANCED USES AND EXPANDING LOCAL TOURISM.
- POLICY 1B** ENCOURAGE AND FACILITATE THE SALE AND SUBSEQUENT DEVELOPMENT OF UNDERUTILIZED PUBLIC LANDS WHERE SUCH LANDS:
- (i) ARE DETERMINED TO BE SURPLUS WITH RESPECT TO FORESEEABLE PUBLIC NEEDS;
  - (ii) DO NOT WARRANT PRESERVATION AS A MEANS OF PROTECTING SIGNIFICANT COASTAL RESOURCES;
  - (iii) CAN BE DEVELOPED WITH APPROPRIATE LAND USES IN VIEW OF DEVELOPMENT LIMITATIONS, NATURAL RESOURCE SENSITIVITY, COMMUNITY CHARACTER AND LONGER TERM OBJECTIVES FOR PLANNING AND ECONOMIC GROWTH;
  - (iv) SUITABLE PUBLIC LANDS SHOULD NOT BE ALIENATED WITHOUT RESERVATIONS FOR PUBLIC ACCESS EASEMENTS ALONG THE SHORELINE.

#### Explanation of Policy (Ref: Plates 13-17)

All government agencies must ensure that their actions further the revitalization of waterfront areas within the Town of Waddington and Village of Waddington. The transfer or purchase of property; the construction of a building, park, road or other infrastructure; and the provision of tax incentives to businesses are examples of governmental means for spurring waterfront revitalization. When such actions are proposed, they must be analyzed to determine if they would contribute to or adversely affect the Town's or Village's waterfront revitalization efforts.

Such efforts must be recognized as the most effective means of encouraging economic growth in formerly dynamic areas of these communities.

While Policy 1 reflects the general aim of revitalizing and restoring all deteriorated and underutilized areas of the waterfront, Policies 1A and 1B are more specific. They target local revitalization efforts toward the Village's commercial core area at LaGrasse Street and St. Lawrence Avenue, the vacant property of the Ogdensburg Bridge and Port Authority (OBPA) on Clark Point and various holdings of the New York Power Authority (NYPA) which are not needed for flood control as part of maintaining the Lake St. Lawrence "power pool".

The Village and Town have the primary responsibility for implementing the actual development and redevelopment aspects of these policies through municipal planning and land use regulation measures and local efforts to induce economic growth. Local implementation, however, will rest substantially upon the extent and appropriateness of land disposition by NYPA and OBPA and the roles played by other local, State and Federal agencies during the sale and subsequent development of surplus lands.

Therefore, in furtherance of these revitalization policies, government agencies must consider all other pertinent policies in this program. Particular emphasis is required for those development policies aimed at facilitating the siting of water dependent uses, guiding development to areas with adequate infrastructure and public services, and simplifying permit procedures. (See Policies 2, 2A, 2B and 6).

The following guidelines are to be used in assessing proposed government actions affecting local waterfront revitalization in general and in the specific target areas:

1. Priority should be given to water-dependent and water-enhanced uses which will offer employment opportunities, improve coastal image and expand tourism.
2. The actions should enhance existing and anticipated uses by:
  - a. improving deteriorated conditions, if present, on the site subject to the action;
  - b. providing for development of the site in a manner compatible with the character of the area in terms of scale, architectural style, density and intensity of use;
  - c. serving as catalysts to private investment or reinvestment in both the subject site as well as other deteriorated or underutilized sites nearby;
  - d. improving adjacent and upland views of the water; and
  - e. at a minimum, not causing deterioration, imposing obstacles to other public or private revitalization initiatives in the area, or affecting important views in a detrimental manner.

- f. ensure the maintenance of appropriate public access.
3. The actions should have the potential to:
    - a. improve opportunities for multiple use of the site, when appropriate;
    - b. benefit the local economic base; and
    - c. at a minimum, not jeopardize that base.
  4. The action should generally satisfy the guidelines of other applicable policies set forth in this program.
  5. If the action is proposed to take place outside of a deteriorated and/or underutilized waterfront area suitable for redevelopment and is either within the Town, Village or an adjacent coastal community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated and/or underutilized waterfront in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

**POLICY 2                    FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.**

**POLICY 2A                FACILITATE AND PROMOTE THE EXPANSION AND NEW LOCATION OF WATER-ENHANCED BUSINESSES IN THE VILLAGE'S COMMERCIAL CORE AREA.**

Explanation of Policy (Ref: Plates 15 and 17)

There is a finite amount of waterfront space available for development purposes in the State's coastal area. Consequently, while the demand for any given piece of property will fluctuate in response to varying economic and social conditions, on a statewide basis the only reasonable expectation is that long term demand for waterfront space will intensify.

Public control of the shorelands along Lake St. Lawrence -- by the New York Power Authority (NYPA) to protect the "power pool", by the Thousand Island State Park Commission for Coles Creek State Park and by the Ogdensburg Bridge and Port Authority (OBPA) for potential port development -- has virtually ruled out private development on or near the shoreline in the local waterfront area. With no developable shoreland available, there could be no competition for space.

However, recent reevaluation of flood control needs by NYPA has resulted in substantial shoreland acreage being identified as surplus. The proposed marketing and sale of such acreage

will invite private development and, ultimately, competition for newly available waterfront space.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to coastal waters. To ensure such "water-dependent" uses can continue to be accommodated within the local water-front area, government agencies will avoid undertaking, funding or otherwise approving non-water dependent uses when such uses would preempt the reasonably foreseeable development of water-dependent uses; furthermore government agencies will utilize appropriate existing programs to encourage water-dependent activities.

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

1. Uses which depend on the utilization of resources found in coastal waters (for example: fishing);
2. Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short- and long-term storage facilities);
4. Structures needed for navigational purposes (for example: dams and lighthouses);
5. Flood and erosion protection structures (for example: breakwaters and bulkheads);
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants);
8. Scientific/educational activities which, by their nature, require access to coastal waters (for example: water resource nature centers); and
9. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first-aid stations, short-term storage facilities). Though these uses must be near the given water-dependent uses they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though 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 (e.g., restaurants, hotels and other tourist accommodations).

The Town and Village will facilitate the location and expansion of water-dependent uses in its waterfront with particular emphasis on those which will contribute to local revitalization efforts and tourism development. Uses to be facilitated include marinas, boat repair or service facilities, bait and tackle shops, public boat launches and docks, fishing charter boat operations and other marine-related businesses (salvage, dredging, construction, etc.). Within the Village's waterfront area, the primary areas targeted for such use are Clark Point, the mouth of Sucker Brook, near the municipal docks north of St. Lawrence Avenue and the short stretch of shoreline between Beach Street and Green Road. Water-dependent uses will be encouraged within the Town's waterfront area on NYPA shorelands where lease agreements might allow private marina and marine-related commercial facilities direct use of the shoreline in order to enhance the potential for restaurants, resorts and other water-enhanced uses on adjacent surplus lands further from the water's edge. This approach to facilitate private water-dependent uses would be suited to shorelines near Leishman Point, at the mouth of Brandy Brook and on Ogden Island. In the event that future investigation rules out possible muskellunge spawning and nursery area in Whitehouse Bay, the bay's shoreline would logically be a target for water-dependent uses.

Water-enhanced uses will be encouraged in the Village's commercial core area, on the surplus (non-shoreline) NYPA lands and on Clark Point. Such uses include restaurants, tourist accommodations, gift shops and other resort and commercial recreation facilities.

As in the target areas noted above, the selection of other sites where water-dependent uses will be encouraged and facilitated shall adhere to the following guidelines:

1. Competition for space -- competition for space or the potential for it, should be indicated before any given site is promoted for water-dependent uses. The intent is to match water-dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water-dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water-dependent activities or else the encouragement of water-dependent development.
2. In-place facilities and services -- most water-dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors: the availability of public sewer and water services; ability to accommodate parking and necessary storage; and the accessibility of the site via existing streets.
3. Access to navigational channels -- if commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within

a sheltered harbor, from which access to adequately sized navigation channels would be assured.

4. Compatibility with adjacent uses and the protection of other coastal resources -- water-dependent uses should be located so that they enhance, or at least do not detract from, the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas from odors, noise and traffic. Affirmative approaches should also be employed so that water-dependent uses and adjacent uses can serve to complement one another. For example, a recreation-oriented water-dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn be enhanced by, nearby restaurants, motels and other non-water-oriented tourist activities. Water-dependent uses must also be sited so as to avoid adverse impacts on the significant coastal resources.
5. Preference to underutilized sites -- the promotion of water-dependent uses should serve to foster development as a result of the capital programming, permit expediting, and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the Village and Town waterfront areas which are currently underutilized.
6. Providing for expansion -- a primary objective of the policy is to create a process by which water-dependent uses can be accommodated well into the future. State agencies, the Town and the Village should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the present.

In promoting water-dependent uses, all government agencies should favor them in terms of capital programming, leasing arrangements of publicly owned land, abatement of property taxes, loan guarantees, low interest loans, economic development strategies and permitting procedures. The Town and Village will develop and maintain a list of suitable sites available for non-water dependent uses to assist developers seeking alternative sites for their proposed uses.

**POLICY 3                    FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY, AND ENCOURAGE THE SITING, IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO, OR IN SUPPORT OF, THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE.**

Not Applicable. The Village/Town of Waddington is not a major port of New York State.

**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.**

Not Applicable. The Village/Town of Waddington waterfront does not contain any small harbor area.

**POLICY 5**                    **ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.**

**POLICY 5A**                **MAINTAIN, AND WHERE NECESSARY, IMPROVE INFRASTRUCTURE AND SERVICES IN THOSE WATERFRONT AREAS WITH THE PRINCIPAL CONCENTRATIONS OF COMMERCIAL AND YEAR-ROUND RESIDENTIAL USES.**

**POLICY 5B**                **ALLOW SELF-SUFFICIENT DEVELOPMENT "PACKAGES" IN AREAS WHICH LACK PUBLIC SEWER AND WATER SYSTEMS BUT OFFER SUBSTANTIAL OPPORTUNITIES FOR ECONOMIC DEVELOPMENT, HAVE MANAGEABLE DEVELOPMENT LIMITATIONS AND CAN BE USED FOR BENEFICIAL USES WITHOUT DEGRADING SIGNIFICANT COASTAL RESOURCES.**

**POLICY 5C**                **DISCOURAGE THE DEVELOPMENT OF USES WHICH, BY REASON OF THEIR DEMAND FOR NEW COMMUNITY SERVICES AND FACILITIES OR THEIR IMPOSITION OF BURDENS ON EXISTING SERVICES AND FACILITIES, WOULD REQUIRE DISPROPORTIONATE PUBLIC COSTS IN COMPARISON TO PUBLIC BENEFITS.**

Explanation of Policy. (Ref: Plates 13, 15 and 17) The governing bodies of the Town and Village can guide and direct the pattern of development in the waterfront by use of their construction, taxing, funding and regulatory powers. Whenever it is feasible, these powers will be used to foster development within, contiguous to or in close proximity to existing areas of concentrated development where adequate infrastructure and public services exist or are planned to be made available with reasonable assurances. Measures to concentrate new development will give due consideration to development limiting factors such as bedrock, soil condition, slope, flood hazard, erosion potential, community character and sensitive environmental areas.

Within the Village, efforts to concentrate development must be paralleled by the maintenance and improvement of existing infrastructure which otherwise will be subject to deterioration and declining level of service. Measures to protect and prolong the useful life of existing streets, sewers, water lines and other infrastructure will be given high priority.



Portions of the New York Power Authority's surplus lands in the western waterfront would be suited to moderate concentrations of development provided such development were essentially self-sufficient with respect to water supply and sewage disposal and roads were built to Town standard and offered for dedication. To insure self-sufficiency, development proposals would need to be considered as unified packages, i.e., planned unit developments or cluster subdivisions.

In other areas of the waterfront, inaccessibility; greater environmental sensitivity; smaller and less suitable parcels of surplus land; and aesthetic concerns are likely to rule out any concentrations of development by way of unified, self-sufficient packages. The public costs of providing community services and infrastructure would undoubtedly outweigh the public benefits. Low density, dispersed development would be appropriate in such areas.

For any action that would result in large scale development or an action which would facilitate or serve future development, determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate.

The following guidelines shall be used in making that determination.

1. Cities, built-up suburban Towns and Villages, and rural Villages in the coastal area are generally areas of concentrated development where infrastructure and public services are adequate.
2. Other locations in the coastal area may also be suitable for development, if three or more of the following conditions prevail:
  - a) Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
  - b) Fewer than 50% of the buildable sites (i.e., sites meeting lot area requirements under existing local zoning regulations) within 1 mile radius of the proposed site are vacant;
  - c) Proposed site is served by or is near to public or private sewer and water lines;
  - d) Public transportation service is available within 1 mile of the proposed site;
  - e) A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.
3. The following points shall be considered in assessing the adequacy of an area's infrastructure and public services:

- a) Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;
- b) Development's water needs (consumptive and fire fighting) can be met by the existing water supply system;
- c) Sewage disposal system can accommodate the wastes generated by the development;
- d) Energy needs of the proposed land development can be accommodated by existing utility systems;
- e) Stormwater runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and
- f) Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development.

It is recognized that certain forms of development may and/or should occur at locations which are not within or near areas of concentrated development. Thus, this coastal development policy does not apply to the following types of development projects and activities.

- Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.
- Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.
- Water-dependent uses with site requirements not compatible with this policy or when alternative sites are not available.
- Uses and/or activities which because of public safety consideration should be located away from populous areas.
- Rehabilitation or restoration of existing structures and facilities.
- Development projects which are essential to the construction and/or operation of the above uses and activities.

In certain areas where development is encouraged by these policies, the condition of existing public water and sewage infrastructure and other services may necessitate improvements. Those State and federal agencies charged with allocating funds for investments in public services and

water and sewer facilities should give high priority to the needs of such areas so that full advantage may be taken of the array of their other infrastructure components in promoting waterfront revitalization.

**POLICY 6                   EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.**

Explanation of Policy

For specific types of development activities and, in areas suitable for such development, the Town and Village will make every reasonable effort to coordinate and expedite local permit procedures and regulatory activities as long as the integrity of the regulatory objectives is not jeopardized. Nevertheless, the Town and Village efforts in expediting permit procedures are part of a much larger system for regulating development, which also includes county, state and federal government agencies. Regulatory programs and procedures should be coordinated and synchronized between all levels of government and, if necessary, legislative and/or programmatic changes will be recommended from the local level.

**POLICY 7                   SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS DESIGNATED PURSUANT TO PART 602, NYCRR, WILL BE PROTECTED, PRESERVED AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.**

Explanation of Policy

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: (1) are essential to the survival of a large portion of a particular fish or wildlife population (e.g., feeding grounds, nursery areas); (2) support populations of rare and endangered species; (3) are found at a very low frequency within a coastal region; (4) support fish and wildlife populations having significant commercial and/or recreational value; and (5) would be difficult or impossible to replace.

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of an area as a habitat. When the action significantly reduces a vital resource (e.g., food, shelter, living space) or changes 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 generic activities most likely to affect significant coastal fish and wildlife habitats include but are not limited to the following:

1. **Draining wetlands, ponds:** Cause changes in vegetation, or changes in groundwater and surface water hydrology.
2. **Filling wetlands, shallow areas of streams, lakes, bays, estuaries:** May change physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology).
3. **Grading land:** Results in vegetation removal, increased surface runoff, or increase soil erosion and downstream sedimentation.
4. **Clear cutting:** May cause loss of vegetative cover, increase fluctuations in amount of surface runoff, or increase streambed scouring, soil erosion, sediment deposition.
5. **Dredging or excavation:** May cause change in substrate composition, possible release of contaminants otherwise stored in sediments, removal of aquatic vegetation, or change circulation patterns and sediment transport mechanisms.
6. **Dredge spoil disposal:** May induce shoaling of littoral areas, or change circulation patterns.
7. **Physical alteration of shore areas through channelization or construction of shore structure:** May change volume and rate of flow or increased scouring, sedimentation.
8. **Introduction, storage or disposal of pollutants such as chemical, petrochemical, solid wastes, nuclear wastes, toxic material pesticide, sewage effluent, urban and rural runoff, leachate of hazardous and toxic substances stored in landfills:** May cause increased mortality or sublethal effects on organisms, alter their reproductive capabilities, or reduce their value as food organisms.

The range of physical, biological and chemical parameters which should be considered include but are not limited to the following:

1. **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.
2. **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.
3. **Chemical parameters such as:** Dissolved oxygen, carbon dioxide, ph, dissolved solids,

nutrients, organics, salinity, pollutants (heavy metals, toxic and hazardous materials).

When a proposed action is likely to alter any of the biological, physical or chemical parameters as described in the narrative 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 7A            NAVIGATION LIGHT 91 SHALL BE PROTECTED, PRESERVED AND, WHERE PRACTICABLE, RESTORED SO AS TO MAINTAIN ITS VIABILITY AS A SIGNIFICANT COASTAL FISH AND WILDLIFE HABITAT.**

Explanation of Policy (Ref: Plates 10 and 11, Figure 2).

Navigation Light 91, a locally important Coastal Fish and Wildlife Habitat, has been proposed for designation as a State Significant Coastal Fish and Wildlife Habitat. As one of a series of St. Lawrence River navigation lights serving as significant nesting sites for Common terns (a threatened species), Navigation Light 91 has been assessed as a valuable habitat. The protection, preservation and management of this habitat is critical to the survival of Common terns in this region.

Colonial bird species nesting on man-made structures in the St. Lawrence River are highly vulnerable to disturbance from mid-April through July. Significant human activity (e.g., boat-landing, fishing, or maintenance) on or around occupied sites could eliminate tern colonies from the St. Lawrence Navigation Lights, and should be minimized during this period. Annual or permanent posting of these structures should be provided to help protect the nesting bird species. Habitat management activities, such as manipulation of surface substrates, control of avian predation or competition, and establishment of additional nesting colonies in the vicinity, may be desirable or necessary in the future to ensure the survival of common tern populations along the St. Lawrence River. Other navigation structures in the river should be monitored or enhanced for use by common terns, as part of an overall management program for these bird populations.

**POLICY 7B            BETWEEN ITS MOUTH AND COUNTY ROUTE 71, BRANDY BROOK SHALL BE PROTECTED, PRESERVED AND, WHERE PRACTICAL, RESTORED TO MAINTAIN AND ENHANCE ITS VIABILITY AS A SIGNIFICANT COASTAL FISH AND WILDLIFE HABITAT.**

**POLICY 7C            NORTH OF NY ROUTE 37, COLES CREEK SHALL BE PROTECTED, PRESERVED AND, WHERE PRACTICAL, RESTORED TO MAINTAIN AND ENHANCE ITS VIABILITY AS A SIGNIFICANT COASTAL FISH AND WILDLIFE HABITAT.**

Explanation of Policies. (Ref: Plates 10 and 11, Figures 3 and 4).

Brandy Brook and Coles Creek both locally important Coastal Fish and Wildlife Habitats, have been proposed for designation as Significant Coastal Fish and Wildlife Habitats. Brandy Brook and Coles Creek represent two of the largest areas of sheltered shallow water habitat along the St. Lawrence County shoreline. Productive littoral zones, freshwater inflows, extensive beds of submergent and emergent vegetation, shoreline wetland areas and undeveloped adjacent uplands provide areas assessed as significant for the abundance and diversity of fish and wildlife species they support. Brandy Brook is a potential site for Walleye spawning. Coles Creek, with water levels stabilized by a low dam, is one of the most productive fisheries habitats on the St. Lawrence River.

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, alter flows, or increase water level fluctuations in Brandy Brook or Coles Creek could adversely affect a variety of fish and wildlife species. Discharges of sewage or storm water runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) may result in adverse impacts on fish and wildlife resources in these areas. Spills of oil or other hazardous substances are a potentially serious threat to fish and wildlife in both creeks, and every effort should be made to prevent such contamination. Elimination of wetland habitats, or significant human disturbance of these areas, through dredging, filling, construction of roads, waste disposal, or motorboat access development, could reduce their values to fish and wildlife. Channel modification in free-flowing segments above the impoundment on Coles Creek would result in a direct loss of valuable habitat area. However, habitat management activities, including water level management, may be designed to maintain or enhance populations of certain fish and wildlife species. Any significant disturbances of Brandy Brook would be especially detrimental during fish spawning and nursery periods (March-July for most species). Barriers to fish migration in these creeks, whether physical or chemical, could have significant effects on fish populations within the creeks as well as in Lake St. Lawrence. Existing areas of natural vegetation bordering these creeks should be maintained for their value as cover for wildlife, perch sites, and buffer zones. Efforts should be made to reduce upstream disturbance by agricultural activities, especially grazing, through fencing and restoration of riparian vegetation. Development of additional public access may be desirable to increase compatible human uses of either creek, but must be designed to minimize disturbance of sensitive fish and wildlife species that occur in the area.

**POLICY 7D      FISH AND WILDLIFE HABITATS IN THE VICINITY OF  
WHITEHOUSE BAY, OGDEN ISLAND, SUCKER BROOK, THE  
MURPHY ISLANDS AND COLES CREEK STATE PARK SHALL  
BE GIVEN ADEQUATE PROTECTION TO MAINTAIN THEIR  
VIABILITY AS LOCALLY SIGNIFICANT HABITAT AREAS.**

Explanation of Policy. (Ref: Plates 10 and 11)

Although less productive than Brandy Brook and Coles Creek, these habitat areas have local

significance for their recreation and tourism values. Whitehouse Bay also is important as a potential Muskellunge spawning and nursery area. Proposed public or private actions within or near these habitat areas shall be undertaken in a manner which will avoid or mitigate significant impacts on their continued viability as locally significant habitats. The guidelines for Policy 7 shall be considered generally applicable to land use and development decision-making involving these habitats.

**POLICY 7E            THE EASTERN FOREST/WETLANDS AREA HAS POTENTIAL LOCAL SIGNIFICANCE AS A WILDLIFE HABITAT. ACCORDINGLY, MAJOR CLEARING AND EXTENSIVE DEVELOPMENT ACTIVITIES SHALL BE DISCOURAGED THERE UNTIL THE AREA'S SIGNIFICANCE HAS BEEN ASCERTAINED.**

Explanation of Policy. (Ref: Plates 10 and 11)

This remote and undeveloped area of the Town's waterfront is likely to have local significance for recreation and tourism. Documentation for the variety and abundance of wildlife species there is not presently available. Therefore, large scale clear cutting will be avoided and land use activities will be generally limited in density and intensity.

**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 EFFECTS ON THOSE RESOURCES.**

Explanation of Policy. (Ref: Plates 4, 20, 11 and Figures 2, 3 & 4)

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (S27-0901 (3)) as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible illness; or (2) pose as substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed." A list of hazardous wastes has been adopted by (6 NYCRR Part 371).

The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the State's coastal fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes, generated from point and non-point sources, and

not identified as hazardous wastes but controlled through other State laws. All public agencies must consider the absence of sanitary sewers in the Town's waterfront and the extent of soils poorly suited to the use of septic systems there as constraints to intensive development in the vicinity of identified fish and wildlife habitats.

**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.**

Explanation of Policy. (Ref: Plates 10, 11 and Figures 2, 3 &4)

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and non-consumptive uses such as wildlife photography, bird watching and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in the waterfront area and which takes into consideration other activities dependent on these resources. Also, such efforts must be made in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include biology of the species, carrying capacity of the resource, public demand, costs and available technology.

The Village and Town waterfront areas contain a variety of fish and wildlife habitats. Recreational demand for fishing and, to lesser extents, hunting and trapping has increased in the local waterfront area. To accommodate this demand, the LWRP will seek to expand fish and wildlife resources (e.g., through stocking) and to increase the recreational use of such resources (see Policies 19 through 22).

The following should be considered by all government agencies as they determine the consistency of their proposed action with the above policy.

1. Consideration should be made as to whether such action will impede existing or future utilization of recreational fish and wildlife resources in the local waterfront area.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.



4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

**POLICY 10                    FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY ENCOURAGING THE CONSTRUCTION OF NEW, OR IMPROVEMENT OF EXISTING ON-SHORE COMMERCIAL FISHING FACILITIES, INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS, MAINTAINING ADEQUATE STOCKS AND EXPANDING AQUACULTURE FACILITIES.**

Not Applicable. There are no significant commercial fishing activities in, or based out of, this area of the St. Lawrence River. Commercial fishing activities, e.g., netting, rigging and on-shore development of handling and processing facilities would undoubtedly prove counterproductive to the strengthening of the sport fishery-based tourism in the local waterfront area.

### **FLOODING AND 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 of Policy. (Ref: Plate 7)

**Flooding:** Areas of special flood hazard in the Town and Village were identified and mapped by the Federal Insurance Administration. With little (if any) exception, the floodprone lands in the waterfront area of the two communities fall within lands held by NYPA for the "power pool." No waterfront areas have been identified as having development which would be subject to damages from flood hazards. ~~If negotiations for greater use of NYPA lands should make available land included in a designated Flood Hazard Area,~~ provisions for preventing flood damage and property losses would be made through the adoption of local floodplain regulations, as well as by lease agreement and/or deed restriction.

**Shoreline Erosion:** The NYS Department of Environmental Conservation (DEC) is not expected to identify Coastal Erosion Hazard Areas (CEHA's) along Lake St. Lawrence. However, active erosion and areas with high potential erodability have been identified as occurring along numerous segments of Town and Village shorelines, especially west of the mouth of Sucker Brook. Along Sucker Brook itself, the western bank has experienced significant erosion just south of Lincoln Avenue.

Most often, such erosion coincides with the more erodible soil types, usually on steeper slopes with modest vegetative cover. Most areas of active erosion are located on either NYPA, OBPA or State Park property. While few of these areas are likely to be experiencing erosion at a rate of one (1) foot per year or more, the loss of shoreline is still a concern. As in the case of flooding, negotiations with NYPA for additional development of shorelands via lease agreement, deed restriction or local regulation must consider the degree of existing and potential shoreline erosion .

**Upland Erosion:** Upland erosion is not a significant concern within the local waterfront area. On the other hand, extensive disturbance of vegetative cover in the process of development is likely to result in increased soil erosion. Therefore, public and private actions involving development should be guided to avoid or minimize substantial disturbance of existing vegetative cover to prevent erosion or, at a minimum, be required to employ suitable erosion and sedimentation control techniques after disturbance has occurred. Upland erosion and sedimentation control will be particularly important for the protection of the Brandy Brook and Coles Creek significant coastal fish and wildlife habitats (see Policy 7).

**POLICY 12                    ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLANDS AND BLUFFS.**

Explanation of Policy (Ref: Plate 7)

The Town beach and the low erodible bluffs in the western part of the Town's waterfront are natural protective features which help safeguard coastal lands and property from damage, as well as reduce the 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 fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse effects are minimized.

**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 AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.**

**POLICY 13A                    THE CONSTRUCTION OR RECONSTRUCTION OF DOCKS, BOAT-HOUSES, BOAT HOISTS, PUBLIC ACCESS**

**FACILITIES AND OTHER SHORELINE STRUCTURES SHALL BE UNDERTAKEN IN A MANNER WHICH WILL, TO THE MAXIMUM EXTENT PRACTICABLE, PROTECT AGAINST OR WITHSTAND THE DESTRUCTIVE FORCES OF WAVE ACTION AND ICE MOVEMENT.**

**POLICY 13B**

**WHERE ENVIRONMENTALLY SOUND, COST-EFFECTIVE MEASURES CAN BE TAKEN TO MINIMIZE THE WAVE ACTION AND ICE MOVEMENT ITSELF, SUCH MEASURES SHALL BE PURSUED IN CONSULTATION WITH APPROPRIATE STATE AND FEDERAL AGENCIES, LOCAL MARINA AND SHORELINE INTERESTS, AND EXPERTS IN THE FIELDS OF MARINE ENGINEERING AND CONSTRUCTION.**

Explanation of Policy. (Ref: Plate 7)

Erosion protection structures are widely used throughout the State's coastal area. However, because of improper design, construction and maintenance standards, many fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

Proper design, construction and maintenance of shoreline protection structures will also prolong their utility and benefits when resistance to wave and ice action is included as a design parameter. This policy will thus assist in slowing the rate of deterioration of shoreline structures and in avoiding disruptions or losses of public access to Lake St. Lawrence by increasing the durability of such structures. Government agencies must consider the risk that wave and ice action impose on either public or private capital investment in shoreline structures, especially where water depth, current or other limiting site conditions require more costly design, construction and maintenance practices.

**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 of Policy. (Ref: Plate 7)

Erosion and flooding are processes which occur naturally. However, public or private actions 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, thereby causing run-off and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage in otherwise hazard-free areas.

**POLICY 15**            **MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.**

Explanation of Policy. (Ref: Plate 7)

Coastal processes, including the movement of beach materials by water, and any mining, excavation or dredging in nearshore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands.

**POLICY 16**            **PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION, OR EXISTING DEVELOPMENT; AND ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.**

**POLICY 16A**            **PUBLIC FUNDS SHALL NOT BE USED FOR SHORELINE STRUCTURES SUBJECT TO SEVERE WAVE ACTION AND ICE MOVEMENT EXCEPT WHERE THE PUBLIC BENEFITS THAT WOULD ACCRUE TO THE TOWN OR VILLAGE IN TERMS OF IMPROVING PUBLIC ACCESS AND RECREATION, ENHANCING TOURISM OR SITING WATER-DEPENDENT USES OUTWEIGH THE LONG TERM COSTS OF SUCH STRUCTURES.**

**POLICY 16B**            **PUBLIC FUNDS SHALL BE USED FOR WAVE AND ICE PROTECTIVE STRUCTURES ONLY WHERE DEEMED NECESSARY FOR PUBLIC SAFETY OR, IF PUBLIC BENEFITS OUTWEIGH LONG TERM COSTS, FOR THE**

**PROTECTION OF SHORELINE STRUCTURE UPON WHICH EXISTING OR PROPOSED WATER-DEPENDENT USES MUST RELY.**

Explanation of Policy. (Ref: Plate 7)

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

Wind driven wave action and ice movement represent destructive forces which cause considerable shore- and long-term damages to shoreline structures. Village and Town investment in shoreline structures exposed to these forces is generally unwise unless sufficient capital is expended to ensure such structures have adequate strength and durability. Measures to diminish the severity of wave action or ice movement may be needed to protect life, limb or property. However, Village and Town investment in measures to protect properties must, as in the construction of shoreline structures in more exposed areas, weigh the economic benefits accruing to these communities and their waterfront area, in view of public costs.

**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 FLOOD PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.**

Explanation of Policy. (Ref: Plate 7)

This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the coastal area as well as the costs of protection against those hazards which structural measures entail.

1.     Within areas identified as experiencing active erosion or having a high potential

erodability, either NYPA's retention of control over the first 100 ft. inland from mean high water level or the Town's required minimum setback from mean high water level will ensure that buildings and structures are located so as to be safe from erosion damage. In turn, such buildings and structures will not be likely to aggravate the rate of erosion or the erodability in these areas. Furthermore, strengthening of the low erodible bluff which typify these areas will be undertaken wherever practicable. Revegetation, reshaping (to achieve an appropriate angle of repose) and installation of drainage systems (to reduce runoff and internal seepage) are possible methods to strengthen the bluffs.

2. Within portions of the waterfront identified as flood hazard areas, the 100 ft. retained by NYPA or required as setback by the Town will largely avoid the risk of or damage from flooding. Where flood hazard area is located further inland, floodproofing and elevation above flood level will protect non-residential and residential structures, respectively.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

In determining whether or not non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

## **GENERAL POLICY**

**POLICY 18** TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

**POLICY 18A** TO STABILIZE, STRENGTHEN AND PROTECT THE LOCAL ECONOMY OF THE VILLAGE AND TOWN, PROPOSED MAJOR ACTIONS IN THE LOCAL WATERFRONT AREA MUST GIVE FULL CONSIDERATION TO IMPORTANT ECONOMIC

**ACTIVITIES IDENTIFIED IN THE LOCAL WATERFRONT REVITALIZATION PROGRAM.**

**POLICY 18B**

**TO PROTECT THE SOCIAL INTERESTS OF THE VILLAGE AND TOWN, PROPOSED MAJOR ACTIONS MUST GIVE FULL CONSIDERATION TO THE IMPACTS OF SUCH ACTIONS ON COMMUNITY AND CULTURAL RESOURCES OF THE LOCAL WATERFRONT AREA AND THE COASTAL CHARACTER AND QUALITY OF LIFE SUCH RESOURCES SUPPORT.**

**POLICY 18C**

**TO PROTECT THE ENVIRONMENTAL INTERESTS OF THE VILLAGE AND TOWN, PROPOSED MAJOR ACTIONS MUST GIVE FULL CONSIDERATION TO THE IMPACTS OF SUCH ACTIONS ON VALUABLE AND SENSITIVE NATURAL RESOURCES OF THE LOCAL WATERFRONT AREA.**

Explanation of Policy.

Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the achievement of the purposes of the safeguards which the State and the Village and Town have established to protect those waters and resources. Proposed actions must take into account the economic, social, and environmental interests of the State, the Village and Town and their citizens in such matters that could affect natural resources, water levels and flows, shoreline damage, and recreation.

Village and Town economic interests will depend heavily on the sale or lease and subsequent development of underutilized public lands within the local waterfront area. Tourism development (in both communities) and capital investment for residential in-fill and commercial revitalization (in the Village) are closely tied to the future disposition of such lands. Agricultural activity is also linked to these lands, but inversely. Intensive development in close proximity to viable farmland could deter agricultural uses and lessen its economic importance. Therefore, proposed major actions in the local waterfront area must recognize the local importance of these various economic activities and support them whenever feasible. As a minimum, proposed major actions should not hinder locally important economic activities unnecessarily.

The social interests of the Village and Town rest largely upon the community and cultural resources in the local waterfront area and the manner in which such resources contribute to coastal character, sense of place and quality of life. Protection and enhancement of community and cultural resources, therefore, must be carefully considered when major actions are proposed. Such actions should benefit or, at a minimum, not detract from these resources or their contribution to local social interests.

Village and Town environmental interests focus on the protection of valuable and sensitive natural resources and their beneficial use in relation to economic and social interests for the local waterfront area. The natural resources support the local economy -- primarily agriculture and tourism -- and contribute to community character, sense of place and quality of life. Proposed major actions, therefore, must consider the local environmental interests in terms of the balance to be maintained between the natural and built environments of the waterfront. Where such actions would be likely to disturb this balance, they should not be Undertaken or, as a minimum, be modified so as to minimize the disturbance.

### **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.**

**POLICY 19A**                    **ENCOURAGE THE DEVELOPMENT OF COMMERCIAL WATER-RELATED RECREATION FACILITIES THROUGH THE SALE AND/OR LEASE OF PUBLIC LANDS WHERE SUCH LANDS ARE SURPLUS, UNDERUTILIZED AND WILL NOT BE NEEDED TO MEET DEMANDS FOR PUBLIC ACCESS AND RECREATION USE FOR THE FORESEEABLE FUTURE.**

#### **Explanation of Policy.** (Ref: Plates 16 and 18)

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. Because the imbalance among these factors is often due to access-related problems, priority will be given to improving physical access to existing and potential coastal recreation sites. This program will encourage mixed use areas and multiple use of facilities to improve access.

New York Power Authority (NYPA) ownership of nearly all shorelands in the local waterfront area has provided only limited public access. The sale and development of those portions deemed to be surplus will necessarily reduce the total area wherein public access is possible. Nevertheless, NYPA's retention of the shorelands closest to the water will assure that some additional public access could be provided to meet future needs. In the process of disposing of



surplus, underutilized NYPA lands, public access easements reservations to the shoreline should be incorporated prior to the conveyance of lands to private development. Also, the layout of such developments should protect public access by minimizing the potential for conflicts between adjacent public and private land uses. Additional public access on lands retained by NYPA would be appropriate.

Highest priority shall be given to the protection and improvement of access to existing public sites offering water-related recreation activities: Coles Creek State Park, Whittaker Park (including leased areas along the northerly side of St. Lawrence Avenue) and the Town Beach. The next highest priority shall be given to the protection and improvement of access to sites for potential public water-related recreation activities: the eastern portion of Leishman Point, the eastern tip of Ogden Island, and near the Iroquois Dam. Potential sites for commercial water-based recreation activity shall be given the third highest priority in providing public access. The western side of Leishman Point, the mouth of Sucker Brook and the eastern side of Clark Point are examples where public access could benefit commercial marina development.

Measures taken to increase public access should enhance or, at a minimum, be consistent with local efforts to revitalize deteriorated and/or underutilized areas, facilitate water-dependent uses, protect historic resources and increase the recreational use of the river and its fish and wildlife resources.

All government agencies must give consideration to the existing and potential public access sites in the Village and Town when considering proposed development actions. They should, to the extent permitted by other coastal policies, encourage new or improved vehicular, pedestrian and waterborne access to the water while ensuring that their actions do not jeopardize present levels of access.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access.
2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors.
  - a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

- b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
3. The State, Town and Village will not undertake or fund any project which increases access to a public water-related recreation resource or facility that is not open to all members of the public.

The following is an explanation of the terms used in the above guidelines:

- a) Access - the ability and right of the public to reach and use public coastal lands, waters and/or water-related recreation resources or facilities.
- b) Public water-related recreation resources or facilities - all public lands or facilities that are suitable for passive or active recreation that require either water or a waterfront location or are enhanced by a waterfront location.
- c) Public lands or facilities - lands or facilities held by State or local government in fee-simple or less-than-fee-simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.
- d) A reduction in the existing level of public access - includes but is not limited to the following:
  - (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
  - (2) Pedestrian access is diminished or eliminated because of hazardous crossing required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
  - (3) Pedestrian access is diminished or blocked completely by public or private development.
- e) An elimination of the possibility of increasing public access in the future includes, but is not limited to the following:
  - (1) Construction/modification of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities or to public coastal lands or waters.
  - (2) Sale, lease, or other conveyance of public property that

could provide public access to a public water-related recreation resource or facility or to public coastal lands and/or waters, except where such sale, lease or other conveyance entails offsetting gains in public access.

- (3) Construction of private facilities which physically prevent the provision of convenient public access to a public water-related recreation resource or facility or to public coastal lands and/or waters from public lands and facilities.

**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 of Policy. (Ref: Plates 16 and 18)

As noted under Policy 19, the New York Power Authority will retain ownership of the immediate shoreline. While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile coastal resources.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional or statewide public benefit, or in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above guideline:

- a. (See definitions under first policy of "access", and "public lands or facilities").
- b. A reduction in the existing level of public access - includes but is not limited to the following:

- (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
    - (2) Pedestrian access is diminished or blocked completely by public or private development.
  - c. An elimination of the possibility of increasing public access in the future - includes but is not limited to, the following:
    - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
    - (2) Sale, lease, or other conveyance of public lands could provide public access to public coastal lands and/or waters.
    - (3) Construction of private facilities which physically prevent the provision of convenient public access to public coastal lands and/or waters from public lands and facilities.
2. The existing level of public access within public coastal lands or waters shall not be reduced or eliminated.
  - a. A reduction in the existing level of public access - includes but is not limited to the following:
    - (1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
    - (2) Access is reduced or blocked completely by any public developments.
3. Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development, except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources; (b) adequate access exists within one-half mile; or (c) agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
4. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.
6. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:
  - a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
  - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

**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.**

**POLICY 21A**

**PRIVATE MARINAS AND OTHER MARINE-RELATED COMMERCIAL FACILITIES SUPPORTIVE OF TOURISM AND RECREATION SHALL BE ENCOURAGED AND FACILITATED TO THE EXTENT CONSISTENT WITH OTHER APPLICABLE COASTAL POLICIES INCLUDED IN THE LOCAL WATERFRONT REVITALIZATION PROGRAM FOR THE BENEFICIAL USE AND PROTECTION OF COASTAL RESOURCES.**

Explanation of Policy. (Ref: Plates 26 and 18)

Water-related recreation includes such obviously water-dependent activities as boating, swimming, and fishing as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of coastal scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, 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 a higher priority over water enhanced recreation uses. Determining a priority among coastal dependent uses will require a case by case analysis.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water-dependent recreation, provision of adequate boating services to meet 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. Lease agreement with the New York Power Authority would be a means for encouraging private marina development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pumpout facilities.

Water-related off-road recreational vehicle use is an acceptable activity, provided no adverse environmental impacts occur. Where adverse environmental impact will occur, mitigating measures will be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced.

**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.**

Explanation of Policy. (Ref: Plates 16 and 18)

Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore, they should, to the fullest extent permitted by existing law, provide for some form of water-related recreation use unless there are compelling reasons why any form of such

recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development which can generally provide water-related recreation as a multiple use include but are not limited to:

- parks
- highways
- power plants
- utility transmission rights of way
- sewage treatment facilities
- mental health facilities (FN 13)
- hospitals (FN 13)
- prisons (FN 13)
- schools, universities (FN 13)
- military facilities (FN 13)
- nature preserves (FN 13)
- large residential subdivisions (50 units)
- shopping centers
- office buildings

Prior to taking action relative to any development, government agencies should consult with the Village and Town to determine appropriate recreation uses. The agency should provide the Village and Town with the opportunity to participate in project planning. Appropriate recreation uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost. In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreational facilities.

**POLICY 23            PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES OR THE NATION.**

Explanation of Policy. (Ref: and Plate 19)

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites.

The policy is not to be construed as a passive mandate but must include active efforts when appropriate to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship.

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas or sites. 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, cultural, or archaeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entryways and doors; fenestration; lighting fixtures; roofing, sculpture and carving; steps; rails; fencing; windows; vents and other openings; grillwork; signs; canopies; and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earth-moving, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)
2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archaeological resource or component thereof, to include all those features described in 1, above plus any other appurtenant fixture associated with a building structure or earthwork.
3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgement about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts this would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any buildings, structure, earthwork, or component thereof of a recognized historic,



cultural or archaeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archaeological resource which does not involve a significant adverse change to the resource, as defined above.

Nine individual structures and one row of seven structures are recognized as being highly significant to the local community. Such historic resources will warrant the maximum protection which can be practically afforded in implementing these policies. The numerous remaining historic structures described in Section II have less significance individually. Collectively, however, these other historic resources warrant attention. Such resources embody much of the local cultural heritage and contribute importantly to present day community character. All government agencies should avoid, to the maximum extent practicable, undertaking direct actions which would jeopardize these locally significant historic resources. In addition, public education and local recognition should encourage private owners to restore, rehabilitate and preserve these structures and/or sites, preferably along the guidelines set forth above for highly significant historic resources.

Given the existence of zones of archeological sensitivity and the possibility of additional historically significant structures within the waterfront area (ref. Plate 19), developers and development review agencies must contact the New York State Historic Preservation Office to determine appropriate protective measures to be incorporated in the development process at these sites.

## **SCENIC RESOURCES POLICIES**

### **POLICY 24**

**PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE, AS IDENTIFIED ON THE COASTAL AREA Plate. IMPAIRMENT SHALL INCLUDE:**

- (i) THE IRREVERSIBLE MODIFICATION OF GEOLOGICAL FORMS, THE DESTRUCTION OR REMOVAL OF VEGETATION, THE DESTRUCTION OR REMOVAL OF STRUCTURES, WHEREVER THE GEOLOGIC FORMS, VEGETATION OR STRUCTURES ARE SIGNIFICANT TO THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE; AND**
- (ii) THE ADDITION OF STRUCTURES WHICH BECAUSE OF**

**SITING OR SCALE WILL REDUCE IDENTIFIED VIEWS OR WHICH BECAUSE OF SCALE, FORM, OR MATERIALS WILL DIMINISH THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE.**

Not Applicable. The Secretary of State has not designated scenic resources of statewide significance as of the date of this program's approval.

**POLICY 25**                    **PROTECT, RESTORE, OR ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.**

**POLICY 25A**                    **IMPROVE AND PROTECT THE IMAGE AND AESTHETIC CHARACTER OF THE VILLAGE'S BUILT WATERFRONT ENVIRONMENT WITH PARTICULAR ATTENTION TO THE RELATIONSHIPS BETWEEN CORE AREA, HISTORIC STRUCTURES, PARK AND RECREATION FACILITIES AND COASTAL WATERS.**

**POLICY 25B**                    **PROTECT THE IMAGE AND AESTHETIC CHARACTER OF THE TOWN'S RURAL WATERFRONT ENVIRONMENT WITH PARTICULAR ATTENTION TO THE RELATIONSHIPS BETWEEN FARMS, FORESTS, WETLANDS, PARK AND RECREATION.**

Explanation of Policy. (Ref: and Plate 12)

When considering a proposed action, which would not affect a scenic resource of statewide significance, agencies shall undertake to ensure that the action would be undertaken so as to protect and enhance the overall scenic quality of the coastal area. Activities which could impair or further degrade scenic quality are the same as those cited under the previous policy, i.e., modification of natural landforms, removal of vegetation, etc. However, the effects of these activities would not be considered as serious for the general coastal area as for significant scenic areas.

The following siting and facility-related guidelines to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines must be applied accordingly, include:

1. Siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;

2. Clustering or orienting structures to retain views, save open space and provide visual organization to a development;
3. Incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
4. Removing deteriorated and/or degrading elements;
5. Maintaining or restoring the original landform, except when changes screen unattractive elements and/or add appropriate interest;
6. Maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing enhances views of coastal waters;
7. Using appropriate materials, in addition to vegetation, to screen unattractive elements;
8. Using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

### **AGRICULTURAL LANDS POLICY**

**POLICY 26**                    **TO CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE'S COASTAL AREA, AN ACTION SHALL NOT RESULT IN A LOSS, NOR IMPAIR THE PRODUCTIVITY, OF IMPORTANT AGRICULTURAL LANDS, AS IDENTIFIED ON THE COASTAL AREA Plate, IF THAT LOSS OR IMPAIRMENT WOULD ADVERSELY AFFECT THE VIABILITY OF AGRICULTURE IN AN AGRICULTURAL DISTRICT OR IF THERE IS NO AGRICULTURE IN AN AGRICULTURAL DISTRICT OR IF THERE IS NO AGRICULTURAL DISTRICT, IN THE AREA SURROUNDING SUCH LANDS.**

**POLICY 26A**                    **ENCOURAGE MAXIMUM RETENTION OF ACREAGE IN FARMING WITHIN THE AGRICULTURAL DISTRICT.**

**POLICY 26B**                    **ALLOW SHALLOW LOT FRONTAGE DEVELOPMENT ALONG NY ROUTE 37 TO MINIMIZE THE TOTAL LOSS OF PRIME AGRICULTURAL SOILS TO DEVELOPMENT PRESSURE.**

**Explanation of Policy** (Ref: Plates 6, 7, 20)

Given the LWRP's application to a narrow strip of land, implementing a policy to promote the agricultural use of land must, to be practical, concentrate on controlling the replacement of agricultural land uses with non-agricultural land use as the result of some public action. Other factors, such as markets, price supports, and regulations, which influence the viability in a given area, can only be addressed on a statewide or national basis.

Within the local waterfront area, the most extensive areas of agricultural land are found within an existing agricultural district. Some agricultural activity occurs on land leased from the New York Power Authority (NYPA). With the sale of surplus NYPA lands for development, agricultural lands will face new pressure from competing land uses.

The Program policy requires a concern for the loss of any important agricultural land. However, the primary concern must be with the loss of agricultural land when that loss would have a significant effect on an agricultural area's ability to continue to exist, to prosper, and even to expand. A series of determinations are necessary to establish whether a public action is consistent with the conservation and protection of agricultural lands or whether it is likely to be harmful to the health of an agricultural area. In brief these determinations are as follows: If it would not result, either directly or indirectly, in the loss of important agricultural lands, then the action is consistent with the policy on agriculture. If it is determined that the action would result in a loss of important agricultural lands but that loss would not have an adverse effect on the viability of agriculture in the surrounding area, then the action may also be consistent with the agriculture policy. However, in that case the action must be undertaken in a manner that would minimize the loss of important farmland. If the action is determined to result in a significant loss of important agricultural land, that is the loss is to degree sufficient to adversely affect surrounding agriculture's viability, - its ability to continue to exist, to prosper, and even to expand - then the action is not consistent with this agriculture policy.

The following guidelines define more fully what must be considered in making the above determinations.

- A. A public action would be likely to significantly impair the viability of an agricultural area if it would:**
1. consume more than 10 percent of an active farm, consume a total of 100 acres or more of important agricultural land, or divide an active farm into two or more parts, thus impeding efficient farm operation.
  2. result in environmental changes which may reduce the productivity or adversely effect the quality of the product of important agricultural lands.
  3. create real estate market conditions favorable to the conversion of large areas of important agricultural land to non-agricultural uses. Such conditions may be created by:
    - a. public water or sewer facilities to serve non-farm structures

- b. transportation improvements, except for maintenance of, and safety improvements to, existing facilities, that serve non-farm or non-farm related development
- c. major non-agribusiness commercial development adjacent to identified agricultural lands
- d. major public institutions
- e. residential uses other than farm dwellings
- f. any change in land use regulations applying to agricultural land which would encourage or allow uses incompatible with the agricultural use of the land.

**B. The following types of facilities and activities should not be construed as having adverse effects on the preservation of agricultural land;**

- 1. Farm dwellings, barns, silos, and other accessory uses and structures incidental to agricultural production or necessary for farm family supplemental income,
- 2. Agribusiness development which includes the entire structure of local support services and commercial enterprises necessary to maintain an agricultural operation, e.g., milk hauler, grain dealer, farm machinery dealer, veterinarian, food processing plants,

**C. In determining whether an action that would result in the loss of farmland is of overriding regional or statewide benefit, the following factors should be considered:**

- 1. For an action to be considered overriding, it must be shown to provide significantly greater benefits to the region or state than are provided by the affected agricultural area (not merely the land directly affected by the action). In determining the benefits of the affected agricultural to the region, or state, consideration must be given to its social and cultural value, its economic availability, its environmental benefits, its existing and potential contribution to food or fiber production in the state and any state food policy, as well as its direct economic benefits.
  - a. An agricultural area is an area predominantly in farming and in which the farms produce similar products and/or rely on the same agribusiness support services and are to a significant degree economically inter-dependent. At a minimum, this area should consist of at least 500 acres of important agriculture land. For the purpose of analyzing impacts of any action on agriculture, the boundary of such area need not be restricted to land within the coastal boundary. If the affected agricultural district then, at a minimum, the agricultural area should include the entire agricultural district.

- b. In determining the benefits of an agricultural area, its relationship to agricultural lands outside the area should also be considered.
- c. The estimate of the economic viability of the affected agricultural area should be based on an assessment of:
  - (i) soil resources, topography, conditions of climate and water resources;
  - (ii) availability of agribusiness and other support services, and the level and condition of investments in farm real estate, livestock and equipment;
  - (iii) the level of farming skills as evidenced by income obtained, yield estimates for crops, and costs being experienced with the present types and conditions of buildings, equipment, and crop land;
  - (iv) use of new technology and the rates at which new technology is adopted;
  - (v) competition from substitute products and other farming regions and trends in total demand for given products;
  - (vi) patterns of farm ownership for their effect on farm efficiency and the likelihood that farms will remain in use.
- d. The estimate of the social and cultural value of farming in the area should be based on an analysis of:
  - (i) the history of farming in the area;
  - (ii) the length of time farms have remained in one family;
  - (iii) the degree to which farmers in the area share a cultural or ethnic heritage;
  - (iv) the extent to which products are sold and consumed locally;
  - (v) the degree to which a specific crop(s) has become identified with a community.
- e. An estimate of the environmental benefits of the affected agriculture should be based on analysis of:
  - (i) the extent to which the affected agriculture as currently practiced provides a habitat or food for wildlife;
  - (ii) the extent to which a farm landscape adds to the visual quality of an area;

- (iii) any regional or local open space plans, and degree to which the open space contributes to air quality;
- (iv) the degree to which the affected agriculture does, or could, contribute to the establishment of a clear edge between rural and urban development.

**D. Whenever a proposed action is determined to have an insignificant adverse effect on important agricultural land or whenever it is permitted to substantially hinder the achievement of the policy according to DOS regulations, Part 600, or as a result of the findings of an EIS, then the required minimization should be undertaken in the following manner:**

1. The proposed action shall, to the extent practicable, be sited on any land not identified as important agricultural, or, it must be sited on important agricultural land, sited to avoid classes of agricultural land according to the following priority:
  - a. prime farmland in active farming
  - b. farmland of statewide importance in active farming
  - c. active farmland identified as having high economic viability
  - d. prime farmland not being farmed
  - e. farmland of statewide importance not being farmed
2. To the extent practicable, agricultural use of important agricultural land not directly necessary for the operation of the proposed non-agricultural action should be provided for through such means as lease arrangements with farmers, direct undertaking of agriculture, or sale of surplus land to farmers. Agricultural use of such land shall have priority over any other proposed multiple use of the land.

To the extent practicable, development shall be guided away from areas of prime farmland within the agricultural district and outside the district where such soils are currently in active agricultural use. Where development does occur along NY Route 37 within such areas, shallow lot frontage development will be allowed in order to minimize the loss of prime farmland.

## **ENERGY AND ICE MANAGEMENT POLICIES**

### **POLICY 27**

**DECISIONS OF THE SITING AND CONSTRUCTION OF MAJOR ENERGY FACILITIES IN THE COASTAL AREA WILL BE BASED**

**ON PUBLIC ENERGY NEEDS, COMPATIBILITY OF SUCH FACILITIES WITH THE ENVIRONMENT, AND THE FACILITY'S NEED FOR A SHOREFRONT LOCATION.**

Explanation of Policy. (Ref: and Plate 16)

Beside the waters of the Lake St. Lawrence "power pool," there are no other major energy resources in the local waterfront area. The recent proposal of the New York Power Authority (NYPA) to sell off surplus shorelands for private development will make the siting and construction of new facilities for energy production unlikely, if not impossible.

On the other hand, facilities for transmitting hydroelectric power are possible by virtue of the local waterfront area's close proximity to the power project in Massena, and facilities for natural gas transmission are currently proposed.

Articles VII and VIII of the NYS Public Service Law require forecasts of energy needs and establish the basis for determining the compatibility of transmission lines and steam generating facilities with the environment and the necessity of a shorefront location. The policies derived from the siting regulations under these articles are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization and Coastal Resources Act. That act is used for the purposes of ensuring consistency with the Coastal Management Program.

**POLICY 28            ICE MANAGEMENT PRACTICES SHALL NOT DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, INCREASE SHORELINE EROSION OR FLOODING, OR INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER.**

Explanation of Policy.

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydroelectric power, fish and wildlife and their habitats as identified in this program, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

Winter navigation along the St. Lawrence Seaway--as had been proposed in the past-- would necessarily require ice management practices on Lake St. Lawrence. Such practices could involve detrimental impacts on coastal resources in the local waterfront area which would make this policy particularly applicable.



**POLICY 29**            **ENCOURAGE THE DEVELOPMENT OF ENERGY RESOURCES ON THE OUTER CONTINENTAL SHELF, IN LAKE ERIE, AND IN OTHER WATER BODIES, AND ENSURE THE ENVIRONMENTAL SAFETY OF SUCH ACTIVITIES.**

Not Applicable. As noted under Policy 27, the water resources of Lake St. Lawrence have already been "developed" for hydro-electric power, and no other energy resources are known to exist in or near the local waterfront area.

**WATER AND AIR RESOURCES POLICIES**

**POLICY 30**            **MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.**

Explanation of Policy. (Ref: Plate 4)

Municipal, industrial and commercial discharges include not only "end-of-the-pipe" discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through municipal treatment systems before reaching the State's waterways.

While current sewage treatment in the Village is adequate to protect its coastal waters, continued maintenance and occasional upgrading of the system will be necessary to ensure that discharges into Lake St. Lawrence do not threaten water quality. Repair, or replacement of sewer pipes as they deteriorate with age will minimize future inflow and infiltration problems which can exhaust or exceed capacity of the sewage treatment plant. Future concentration of development in the Village--on Clark Point and as residential in-fill development--may necessitate future expansion of treatment capacity.

The potential for resort and commercial recreation development on surplus shorelands of the New York Power Authority makes this policy applicable to the Town's waterfront as well.

**POLICY 31**            **STATE COASTAL AREA POLICIES AND MANAGEMENT OBJECTIVES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS: HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A**

## DEVELOPMENT CONSTRAINT.

### Explanation of Policy. (Ref: Plate 4)

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 Waterfront Revitalization programs and coastal management policies shall be factored into the review process for coastal waters. However, such considerations shall not affect any water pollution control requirement established by the State pursuant to the Federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting." Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development. The Village and Town have reviewed the classification of waters within the local waterfront area and find them to be generally consistent with the existing and proposed land and water uses put forth in this program.

**POLICY 32                    ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE  
SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES  
WHERE THE COSTS OF CONVENTIONAL FACILITIES ARE  
UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING  
TAX BASE OF THESE COMMUNITIES.**

### Explanation of Policy. (Ref: Plate 4)

Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These types of systems are often more cost effective in smaller less densely populated areas and for which conventional facilities are too expensive.

Development in the Town's waterfront faces the absence of public sewers and soils with severe limitations on the use of conventional septic systems. In many areas, alternative and innovative on-site disposal systems may be necessary to adhere to NYS Department of Health standards in spite of larger lot sizes.

**POLICY 33                    BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE  
THE CONTROL OF STORMWATER RUNOFF AND COMBINED  
SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.**

Explanation of Policy. (Ref: Plate 4)

Best management practices include both structural and nonstructural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, nonstructural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

This policy is applicable primarily for stormwater runoff since the Village does not have a combined sewer system. While water quality problems related to stormwater runoff are not evident at present, concentration of development in the Village and outlying development in the Town on surplus NYPA lands could increase both the amount of runoff and the amount of pollutants carried by runoff.

**POLICY 34            DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS FROM VESSELS SUBJECT TO STATE JURISDICTION INTO COASTAL WATERS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.**

Explanation of Policy. (Ref: Plates 4, 11, 15 and 18)

The discharge of sewage, garbage rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated. Priority will be given to the enforcement of this law in areas such as significant fish and wildlife habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the NYS Department of Environmental Conservation (6 NYCRR, Part 657).

Due to the absence of private marinas and the limited number of municipal or private docks, problems involving the discharge of vessel wastes have not been identified in the coastal waters of the Village and Town. However, should the shoreline areas of the lands held by the New York Power Authority (NYPA) or the Ogdensburg Bridge and Port Authority (OBPA) be sold or leased for marina development, then pumpout facilities would become essential in order to handle discharges from marine holding tanks.

**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 COASTAL FISH AND WILDLIFE**

**HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.**

Explanation of Policy. (Ref: Plates 3 and 11)

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted by DEC if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25, and 34), and are consistent with policies pertaining to the protection of coastal resources (State Coastal Management Policies 7, 15, 24, 26 and 44).

Dredging and dredge spoil disposal issues and problems do not presently exist in the coastal waters of the Town and Village. However, the availability of NYPA or OBPA lands for development could induce proposals to dredge in either shallow bay areas or around the mouths of streams flowing into Lake St. Lawrence. The review of applications for dredging should consider achieving a balance between protective measures for the water quality of Sucker Brook and Coles Creek and for the important fish and wildlife habitats at Brandy Brook, Coles Creek, Sucker Brook and Whitehouse Bay and development measures providing for revitalization and the siting at water-dependent uses.

**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 of Policy.

NYS Environmental Conservation Law (Section 37-0101(2)) defines substances hazardous to the environment as, "substances which, because of their toxicity, magnification or concentration within biological chains, present a demonstrated threat to biologic life cycles when discharged into the environment."

The shipment of petroleum and the potential shipment of hazardous wastes, or toxic substances

through the Seaway system carries with them the continual risk of spills. A major spill in the river upstream from Lake St. Lawrence could jeopardize water quality to fish and wildlife habitats and recreational activities in the local waterfront area.

Safety and spillage containment considerations must be incorporated into the design of storage facilitated for petroleum or other hazardous materials, when such facilities are allowed by the Town Development Code or the Village Zoning Ordinance. For example, above-ground tanks shall be mounted on a concrete pad with a lip or curb to contain spillage. Applicants or contractors shall consult the U.S. Army Corps of Engineers and NYS Department of Environmental Conservation (DEC) to determine acceptable safety standards for proposed fuel facilities. All agencies and applicants must follow new DEC regulations regarding petroleum bulk storage regulations (6 NYCRR Parts 610, 612, 613, and 614).

**POLICY 37            BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.**

Explanation of Policy

Best management practices used to reduce these sources of pollution include but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques. Construction projects in the coastal area must have erosion control devices (e.g., retaining walls or temporary coverage of bare soil with straw mulch) in place when the ground is being disturbed.

Guidelines regulating development or construction to be used in implementing this policy include the following:

1.     Runoff or other non-point pollutant sources from any specific development must not be greater than would be the case under natural conditions. Appropriate techniques to minimize such efforts shall include, but not be limited to, the use of stormwater detention basins, rooftop runoff disposal, rooftop detention, parking lot storage and cistern storage.
2.     The construction site, or facilities, should fit the land, particularly with respect to its limitations.
3.     Natural ground contours should be followed as closely as possible and grading minimized.
4.     Areas of steep slopes, where high cuts and fills may be required, should be avoided.
5.     Extreme care should be exercised to locate artificial drainageways so that their final gradient and resultant discharge velocity will not create additional erosion problems.

6. Natural protective vegetation should remain undisturbed if at all possible; otherwise plantings should compensate for the disturbance.
7. The amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water should be limited.
8. The velocity of the runoff water on all areas subject to erosion should be reduced below that necessary to erode the materials.
9. A ground cover should be applied sufficient to restrain erosion on that portion of the disturbed area undergoing no further active disturbance.
10. Runoff from a site should be collected and detained in sediment basins to trap pollutants which would otherwise be transported from the site.
11. Provision should be made for permanent protection of downstream banks and channels from the erosive effects of increased velocity and volume of runoff resulting from facilities constructed.
12. The angle for graded slopes and fills should be limited to an angle no greater than that which can be retained by vegetative cover or other erosion control devices or structures.
13. The length as well as the angle of graded slopes should be minimized to reduce the erosive velocity of runoff water.
14. Rather than merely minimize damage, take the opportunity to improve site conditions wherever practicable.

**POLICY 38            THE QUALITY AND QUANTITY OF SURFACE WATER AND GROUND-WATER SUPPLIES WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATERS CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.**

Explanation of Policy. (Ref: Plate 4)

Groundwater is the sole source of potable water for the Village and Town of Waddington. Heavily concentrated development or uses which would draw very large quantities of groundwater available to existing users. Uses which discharge large amounts of effluent or handle toxic substances must be guided to locations which would not jeopardize the quality of groundwater or groundwater recharge.

**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 COASTAL FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT AGRICULTURAL LANDS, AND SCENIC RESOURCES.**

Explanation of Policy

Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris, and industrial and commercial waste. Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include: filling of wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

Solid wastes and, in particular, hazardous materials do not pose a threat to water quality in the local waterfront area. There are presently no landfills within the Town or Village. Refuse from both communities is collected by private contractor and hauled to a private landfill in Ogdensburg. With the construction of the St. Lawrence County's proposed solid waste disposal facility in Ogdensburg, solid wastes are likely to be transported on NY Route 37 en route to that facility.

**POLICY 40           EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.**

Explanation of Policy

There are no major steam electric generating or industrial facilities located within the Waddington waterfront area and no such facilities are anticipated. In the event that such facilities are proposed within the waterfront area, review of such projects shall ensure that the facility will "not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the state, the public health, and public enjoyment of the receiving waters." The effects of thermal discharges on water quality and aquatic organisms will be considered when evaluating an applicant's request to construct a new steam electric generating facility.

**POLICY 41           LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.**

Explanation of Policy

This Local Waterfront Revitalization Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State Laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the waterfront area.

To the extent possible, the State Implementation Plan will be consistent with the lands and water use policies of this local program. Conversely, program decisions with regard to specific land and water use proposals and any recommendations with regard to specific sites for major new or expanded energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

**POLICY 42            COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREAS PURSUANT TO THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS OF FEDERAL CLEAN AIR ACT.**

Explanation of Policy

The policies of the State CMP and the LWRP concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action to change the prevention of significant deterioration land classifications in coastal regions or adjacent areas.

**POLICY 43            LAND USE OR DEVELOPMENT IN COASTAL AREA MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF THE ACID RAIN PRECURSORS: NITRATES AND SULFATES.**

Explanation of Policy

The Town's Local Water front Revitalization Program incorporates the State's policies on acid rain. As such, the local program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

**POLICY 44            PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.**

Explanation of Policy. (Ref: Plate 9)

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the



## **NYS Protection of Waters Act.**

**Extensive freshwater wetlands lie in the forest/wetlands complex east of the Norwood and St. Lawrence Railroad. These wetlands, which contribute to the locally significant habitat there, are not subject to threats from development pressure. Lesser wetlands are found around the mouth of Sucker Brook and Brandy Brook and on state park lands east of Brandy Brook. A few isolated pockets of wetlands are located between Whitehouse Bay and the Village's western limits. All of these wetlands embody recreational, aesthetic and/or ecological benefits. Specifically, the benefits derived from the preservation of freshwater wetlands include, but are not limited to:**

- habitat for wildlife and fish, and contribution to associated aquatic food chains, and indirectly, to the local economy;**
- erosion, flood, and storm control;**
- natural pollution treatment;**
- groundwater protection;**
- recreational opportunities;**
- educational and scientific opportunities; and**
- aesthetic open space in many otherwise densely developed areas.**