

SECTION III WATERFRONT REVITALIZATION POLICIES

Section III presents the waterfront revitalization policies and their associated standards that are to be used in guiding appropriate development and actions for the Village of Whitehall. They consider the economic, environmental, and cultural characteristics of Whitehall. The policies are comprehensive and reflect existing laws and authority regarding development and environmental protection. Taken together, these policies are used to determine the appropriate balance between economic development and preservation that will permit beneficial use of and prevent adverse effects on Whitehall's waterfront resources. The policies allow the communities to identify their own waterfront issues and utilize local approaches to address them. Once adopted by the Department of State, the local policies will guide any activity occurring within the LWRP boundary.

A. Community Character Policy

Policy 1 Foster a pattern of development in the Waterfront Revitalization Area (WRA) that enhances Whitehall's community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.

The vitality of the individual communities sharing waterfront along the Champlain Canal is critical to the planned revitalization of the entire New York State Canal System. Due to Whitehall's strategic location along this path and as the gateway to Lake Champlain, the community has shaped the local area, the northeast region, the State of New York, and our nation. Our focus is to sustain and enhance Whitehall as the center of activity along the Champlain Canal and to protect the open landscape that provides ecological, scenic and recreational value. The community character policy is designed to guide development with an eye for the community's unique features and circumstances.

Policy Standards

1.1 Concentrate development and redevelopment in order to revitalize deteriorated and underutilized waterfronts and strengthen the traditional waterfront focus of a community.

The LWRP concentrates revitalization efforts within a boundary that encompasses the land along, and in some cases, the surface of the Village's principal water bodies and waterways. More specifically, this includes land adjacent and within an average distance of 0.25 mile of the Champlain Canal plus land along both sides of Lake Champlain, depending on the Village boundary. The boundary area includes the entire Urban Cultural Park, which coincides with the Local Historic Preservation District. It also encompasses a smaller geographic area designated as the National Historic District. The boundary recognizes the importance of South Bay, the most southerly section of Lake Champlain, as irrevocably linked to the Champlain Canal and the Village of Whitehall through recreational fishing and boating.

Revitalization efforts will primarily focus, however, on the immediate waterfront area in the downtown business district of Whitehall. This is the heart of commerce and activities relating to tourism. It is also the location for Lock 12 which is a focal point for visitors arriving by automobile and a place for Canal users to view the downtown region. Public sewer, water, utilities, and parking are available in the downtown business district and there is adequate capacity in all systems due to recent improvements.

There are a number of storefronts and upper level building vacancies that could be renovated to accommodate new businesses with apartments above. These quaint storefronts across from Lock 12 have direct access to the waterfront and have the best chance for redevelopment in the Village. Many of the buildings presently require too much investment to justify the risk of opening a new business. This problem must be offset by incentive programs offered by the Village and Washington County. The Village will make every effort to encourage the redevelopment of this area by offering incentives such as directing revolving business loans at low interest rates to building owners who elect to renovate their properties. The Village also has an active grant program for qualified property owners who want to spruce up the exterior facades of their buildings. The Village will give preference to these property owners so that this area becomes suitable for attracting new businesses to the Village.

1.2 Ensure that development or uses make beneficial use of their waterfront location.

The Village of Whitehall's waterfront focus has shifted over the last several hundred years from a critical port for the construction of warships to an important recreational and commercial transportation corridor. Today, the Canal is almost exclusively used by recreational boat traffic. Whitehall has responded to this shift by turning economic development opportunities towards the tourist industry. However, the downtown business district continues to support a number of businesses that generally provide services to the year-round population. This trend is in decline and unless failing businesses are replaced by businesses that support tourism generated by canal activities and Whitehall's place as a gateway to Vermont, storefronts will likely remain empty.

The following guidelines will help ensure that uses near the waterfront make the most beneficial use of their waterfront location:

- Prevent any further deterioration of downtown buildings and promote consistent façade design.
- Support, maintain and enhance the facilities and services that support the marina trades.
- Encourage uses at the waterfront for activities and projects that propose to enhance tourism along the Canal.
- Enhance and promote public access for all boats, including non-powered boats.
- Intensify local interest in the Champlain Canal by promoting year-round events and activities.

1.3 Maintain and enhance natural areas, recreation, open space, and agricultural lands.

Whitehall is surrounded by unprecedented natural beauty. While the Champlain Canal officially ends at Lock 12, the southernmost portion of Lake Champlain begins here as *The Narrows* and winds and turns many miles before opening into the main lake. It detours south into a section known as South Bay, which is partly in the Adirondack Park and largely undeveloped. Parts of the shoreline and adjacent areas support unique vegetation and wildlife communities and the Nature Conservancy has recognized this fact by naming it a “Special Place.” All forms of open space are highly valued in this region and should be protected.

The Village presently discourages the over-development of the privately-owned lands on the east side of South Bay. This entire area is two-acre zoning with the only uses allowed as single-family homes, farming, forestry uses and nurseries. The Village will improve these regulations by incorporating shoreline-clearing standards that mirror the Adirondack Park Agency standards, which are applicable on the other side of South Bay. The Village also recognizes that it is essential to protect wetlands surrounding Cooke’s Island and Lake Champlain for their flood protection value, ecological value and visual interest.

Additional guidelines for achieving consistency with this policy are as follows:

- Preserve the few agricultural uses that exist in the Waterfront Revitalization Area. Encourage the use of Best Management Practices for the remaining farms in the South Bay watershed by following the guidelines in the Washington County Farmland Protection Study.
- Protect and maintain the natural resource values of the Village of Whitehall, including open water, creeks, freshwater wetlands, woodlands, and the diversity of fish and wildlife populations.
- Maintain and improve groundwater and surface water quality.
- Protect existing and provide additional recreational open space in the form of parks and recreational lands.

1.4 Minimize potential adverse land use, environmental, and economic impacts that would result from the proposed development.

To enhance community character and maintain the quality of the natural and manmade environments of the Village of Whitehall, potential adverse impacts on existing development, natural environments and economic factors must be addressed and mitigated, if necessary. The Village will review and approve projects that are designed to compliment other nearby land uses, have environmental impacts that can be mitigated, and are predicted to have a positive influence on the local economic environment.

Additional guidelines for achieving consistency with this policy are as follows:

- Minimize the potential for adverse land use, environmental and economic impacts that would result from a new development proposal.

1.5 Protect stable residential areas.

Older residential neighborhoods in the Village of Whitehall should be protected from adverse development impacts and should be revitalized through rehabilitation and homeowner assistance, and, when appropriate, in-fill development. Many of the existing residential neighborhoods are separated from the downtown business district by major roads. There is a need to find ways for residents from these neighborhoods to travel safely from neighborhoods to the downtown area.

Additional guidelines for achieving consistency with this policy are as follows:

- Maximize the potential of residents to safely interact with the downtown business district.
- Provide for a mix of residential and commercial for the downtown business district in the local zoning code.
- Ensure that new development be compatible with neighborhood character.

B. Economic Development Policies

Historically, the Village of Whitehall's economy was based on its strategic location at the northern terminus of the Champlain Canal and adjacent to the railroad lines which run parallel to the Canal. Whitehall's location was central to the nineteenth century water-based transportation system, which provided access to raw materials and manufactured goods from northern New York and Vermont to the industrial cities of the East Coast. The commercial properties, which are included in the National Register of Historic Places, located on both sides of the Canal in Whitehall, stand in testimony to that era of prosperity. When the railroad supplanted the canal system as the primary means of moving goods, Whitehall continued to prosper. The decline of the railroad and the barge canal left the Village isolated and without an economic base. As a result, the Village had a long period of economic decline.

By the early 1980s the Village began the process of rebuilding and in addressing its problems of aging infrastructure and declining and changing economy. The Village began the process of reorienting its economy to a tourist-based economy, to build on its assets and to take advantage of the opportunities presented by the Canal and the Village's historic and recreational potential.

The Village's 1985 Urban Cultural Park Management Plan led to the Village's designation as one of 14 sites chosen as an Urban Cultural Park. Whitehall adopted the dual themes of Transportation and Defense in its planning efforts to create a more tourist-based economy. The Village's long-term economic development strategy, therefore, included plans to improve and maintain its waterfront areas, its public and recreation facilities, cooperate with and undertake joint efforts to maintain and improve the area's economic base, and to promote tourism through the utilization of the canal, its historic buildings and historic location as a recreational and tourist attraction.

The strategy promotes the transition to a more tourist-based economy while protecting, maintaining and supporting the existing industrial and manufacturing

sites and operations. The strategy also includes investing in and repairing, replacing, and improving the public infrastructure as a means to attract private investment. Adequate public facilities are a prerequisite to attracting investment in the Village's historic buildings and other private property.

Policy 2 Protect water-dependent uses, promote the siting of new water-dependent uses in suitable locations, support efficient harbor operation, and protect, maintain and support the existing industrial and manufacturing sites and businesses.

Existing water-dependent uses in the downtown area of the WRA include the Champlain Canal (including Lock 12), two marinas, a public boat launch, and several commercial cruise businesses. In the South Bay area there is a planned fishing pier with handicap access and, just outside the WRA in the Town of Dresden, the State Boat Launch. The intent of this policy is to ensure that these uses are protected from other development that could threaten or discourage their future operation.

Policy Standards

2.1 Protect water-dependent uses.

Actions or projects that would adversely impact or interfere with existing water-dependent uses should be avoided. Conversely, actions that protect and enhance marina and public access facilities should be encouraged.

2.2 Promote the siting of new water-dependent uses at suitable locations and provide for their safe operation.

Water-dependent uses can be defined as those uses that require a location in, on, over or adjacent to a waterway because the activity associated with the use requires direct access to the waterway or the use of the water. Uses that are dependent on a water location require protection against other uses that would impair their operation

Enable new water-dependent uses through the careful review of existing zoning policies and subsequent revision of said policies. Sites that are suitable for development or redevelopment along the Champlain Canal within the WRA that are not environmentally sensitive are limited. Suitable sites include the Fuel Tank Farm property and the some abandoned properties along the west side of the canal just north of Lock 12. The goal of this program is to stimulate economic development in the small hub of the downtown business district rather than spread out resources and dilute the effect of the Village setting. The recreation development potential, however, increases with the opportunity of trail linkages and opportunities at various locations along the canal route up into South Bay.

The review of all new development proposals near the Champlain Canal will take into consideration the impact of new development on existing water-dependent uses. Actions that would adversely impact or interfere with these existing uses will be avoided.

Locate new and expanding water-dependent uses along the Champlain Canal and where they will be exposed to the greatest public use and benefit.

Promote guiding, canoeing, kayaking, recreational fishing and related businesses, such as bait and tackle shops.

Minimize the potential adverse impacts of new and expanding uses by siting them where:

- Parking and local infrastructure is adequate.
- Compatible uses can coexist on shared resources.
- Water classifications support their uses.
- Minimal modifications to the shoreline and lake bottom will be made.

Residential Land Uses

Residential development within the waterfront area will adhere to existing zoning regulations for setbacks, square footages, densities, etc. When designing larger residential structures, such as multi-family dwellings, developers will consider the following:

- Limiting the height of the structure to one in keeping with the existing scale of the street (two or three stories).
- Breaking up the mass of the building so that it blends with other residential structures (this can be accomplished by varying the line of the façade, providing a regular pattern of windows, and/or constructing townhouses, rather than a single rectangular structure).
- Including landscaping that blends with and enhances existing street plantings, including shade trees.
- Including sidewalk connections to the street and/or to the riverfront.

Commercial Land Uses

Viable commercial operations are critical to the success of the LWRP. Making these operations accessible to a variety of users, from boaters along the Champlain Canal to pedestrians along Village streets, will help spur their success. The physical design of these operations should accommodate the variety of users. Developers will consider the following:

- Locating the buildings as close to the street as zoning allows, allowing foot traffic easy access to the establishment.
- Reserving space along the street for outdoor commercial activities, such as sidewalk cafes and sidewalk sale stalls.
- Scaling height of the buildings so that they blend with the existing structures in the waterfront area (when possible, consider two or three-story structures, rather than one-story).
- Designing the buildings so that they blend with other commercial and residential structures (this can be accomplished by varying the line of the façade and/or providing a regular pattern of windows).
- Including landscaping that blends with and enhances existing street plantings, including shade trees.

- Paying close attention to the design of signs and lighting of building façades, so that they engage the pedestrian.

In addition, special attention should be paid to circulation, parking, and parking lot design, as follows:

- Whenever possible, locating parking to the rear of commercial structures to maintain the line of the street and allow for easier pedestrian access to establishments. When establishments front both a river and a street, parking should be on the street side or to the side of the structure(s) with particular attention given to the following considerations:
 - When possible, arranging for shared driveways and parking areas to minimize curb cuts and keep traffic flowing more smoothly.
 - Planning for interconnections between parking areas to keep drivers from re-entering the street when they simply want to move to another parking area.
 - Breaking up expanses of parking areas with planted islands and canopy trees.
 - Encouraging establishments to construct inviting “back doors” that welcome people in from the parking lots.

For landowners adjacent to the Champlain Canal, consideration might be given to providing easements for the continuation of the Canalway Trail. Easements will be granted to the Village to construct and maintain the trail.

Industrial Land Uses

Industrial uses typically require larger masses of land and more expansive facilities than commercial uses. While it may not be economically feasible to construct industrial buildings in a scale similar to commercial buildings, some measures may be taken to aesthetically blend and physically connect industrial complexes with the waterfront area:

- When constructing new industrial facilities, consider breaking up the mass of the building with vertical plantings, such as tall evergreen and canopy trees.
- Breaking up expanses of parking areas into several small lots with planted islands and shade trees.
- If located near the core of the LWRP, building sidewalks leading to existing street sidewalks.
- If located along the waterfront, creating walking links to public riverfront trails, and building overlooks.

Recreational Land Uses

Recreational lands currently exist along the lakefront and riverfront. The Village will expand its recreational offerings by constructing a multiple-use trail network, building on the existing pedestrian pathways and Village sidewalk networks. Additionally, existing historic and interpretive sites provide opportunities for tourism “nodes,” or stopping points along the multiple-use trail. A complete description of the proposed Lake Flower Trail and how it will enhance and expand recreational resources in the waterfront is provided in Section IV.

Ensure proposed new or expanding marinas:

- Provide a range of boating services that support the policies and proposed projects of this LWRP.

Commercial/Residential Land Uses

In areas that reflect a mix of residential and commercial properties, commercial design should complement residential design, and vice versa, maintaining a similar scale, street setback, and planting scheme. Refer to the above descriptions of commercial and residential land uses for specific considerations.

Public Service Land Uses

Public service sites include the Lock 12, the Village parks, and the State Boat Launch. Development projects and programs at each of these facilities should consider the following:

- Preserving, at a minimum, the historic footprints, historic landscape features (such as historic trees), and ideally, the historic shells of the buildings. A large part of their history lies in their spatial layout and architectural fabric.
- Utilizing these sites as features on walking and interpretive tours, and incorporating the same style of signage used at the interpretive points along the multiple-use trail.
- Connecting these facilities through the multiple-use pathway.

2.3 Improve the economic vitality of water-dependent uses.

Existing water-dependent uses in the WRA are highly impacted by businesses that offer competing services or uses. The improvements made in the last several years by the Canal Corporation have greatly enhanced the Village's waterfront area, however, the provision of additional public docking and other services has competed with local commercial businesses. Until the canal and the region in general generate more business, decision-makers must pay careful consideration to the needs of existing businesses.

- Select uses that clearly support existing or planned water-dependent uses by drawing more visitors to the waterfront.
- Seek to stimulate a variety of businesses and waterfront uses that serve to compliment the Champlain Canal theme. Support and promote heritage tourism, which seeks to link regional recreational, historical and cultural opportunities that will ultimately result in significant positive economic benefits.
- Balance the need for additional business with the capacity of the Canal to safely handle both the numbers of boats and the types of boating activity.
- Support the long-term viability of existing water-dependent uses by developing an economic development strategy that addresses their collective needs.
- Support struggling businesses and new entrepreneurs by linking them to start-up funds, low-interest loans and other economic development mechanisms.

2.4 Allow water-enhanced uses, which compliment or improve the vitality of water-dependent uses.

Certain uses that are enhanced by a waterfront location may be appropriate to locate along the Champlain Canal. Their location should not, however, preclude future water-dependent uses. Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature and could include restaurants and outdoor outfitters.

- Support projects that do not interfere with water-dependent uses.
- Site new projects without precluding the future potential expansion of existing water-dependent uses.
- Promote non-water-dependent uses that utilize existing buildings in the downtown.

2.5 Promote the efficient management of surface waters and underwater lands.

As the public's use of the waters of the canal increases, there is the potential for congestion and the competition for space within the harbor area, surface waters and underwater lands. This can not only degrade the water, but can detract from the public's quality of experience. It may also preclude future development of the waterfront and impact the local economy.

Guidelines to achieve consistency with this policy are as follows:

- Site marinas and other surface water uses so that they do not encroach into the Lock 12 entry or release zones or into navigational channels.
- Develop a long-term dredging plan with the NYS Canal Corporation to alleviate navigation disruption in some of the channels.

2.6 Protect, maintain and support existing industrial and manufacturing businesses, sites, and pursue industrial opportunities as a means to develop a diversified economic base.

Pursue economic development initiative that recognizes the importance of the existing industrial site and businesses in a manner consistent with other policies that promote and protect water-dependent uses.

Policy 3 Protect existing agricultural lands in the coastal area.

There are two active farms in the WRA, both of which are located on the east side of Lake Champlain's South Bay. The open space associated with these agricultural lands is important to the Village of Whitehall. There are several important scenic vistas along the Route 22 corridor north of the Village. Washington County has one of the strongest set of agricultural protection strategies in the State including an adopted farmland protection plan.

The intent of this policy is to conserve and protect existing agricultural lands in the WRA to the greatest extent possible.

Policy Standards

3.1 Protect existing agriculture and agricultural lands from conversion to other land uses, which would eliminate agricultural production or potential agricultural production.

Investigate the potential for establishing a permanent easement on the site thereby protecting it from other types of development that might impact the scenic value of South Bay.

Policy 4 Promote sustainable use of fish and wildlife resources.

Fish and wildlife resources are an integral part of the fabric of life in the Village of Whitehall and the entire region. The abundance of these resources historically has held the highest value in terms of tourist dollars generated. Fishing during all seasons is a coveted activity and brings thousands to the area annually. Hunting is also an important activity, particularly during the fall. The balance of fisheries appears to be in the process of change. Some of the long-time fishing tournaments are in jeopardy because of the alleged lack of walleye populations. In addition, in some of the prime fishing spots non-native invasive aquatic plants are seriously impeding navigation for recreational fishermen.

Policy Standards

4.1 Ensure the long-term maintenance and health of living water resources.

Any project or activity that significantly creates increased sedimentation, erosion or toxic discharge into the Champlain Canal or South Bay should not be undertaken. No activity or action that introduces hazardous wastes or other pollutants in the waterfront area is permitted.

- Protect and manage the native stocks and restore sustainable populations of indigenous fish and wildlife species and other important marine species.
- Assess the potential for pollution in the Champlain Canal and Lake Champlain from non-point sources such as stormwater runoff.
- Minimize the impacts of development in the waterfront on fish and wildlife resources.

4.2 Provide for commercial and recreational use of fisheries.

The Champlain Canal and South Bay are widely used during the winter for ice fishing. During virtually all seasons South Bay provides both recreational experiences and tourism benefits for recreational fishermen. It is essential to the local economy that these fisheries remain healthy and impediments to fishing as an activity be mitigated (Eurasian water milfoil, water chestnuts).

Recreational uses of fish and wildlife resources include not only consumptive uses such as fishing and hunting, but also such uses as bird-watching, wildlife photography, the study of nature and environmental education.

- Actively promote the fishing tournaments taking place in the region and provide the goods and services that support this industry.
- Encourage and support year-round recreational and commercial opportunities associated with the region's resources.
- Support fish stocking activities associated with the State's efforts to keep certain fish populations up so as to provide a better balance of fish species for the health of the overall fishery and to encourage recreational fishing as an industry.
- Promote the annual Bass Tournament by providing services such as places to stay.

C. Waterfront Natural Resources Policies

Policy 5 Protect and restore ecological resources including significant fish and wildlife habitats, wetlands, and rare ecological communities.

The Waterfront Revitalization Area includes significant natural communities and plant species. The New York Natural Heritage Program identified three rare communities and four threatened or rare plant species. Their general location is considered sensitive and protected from release to the public. The Nature Conservancy has designated part of the region as a "Last Great Place" for the purposes of protection.

The NYS Department of Environmental Conservation regulates freshwater wetlands along Lake Champlain's East Bay, The Narrows, and South Bay. There are also significant threats to native aquatic vegetation and habitats due to the presence of invasive non-native species including zebra mussels, water chestnuts and Eurasian water milfoil. All of these factors must be taken into consideration when development is proposed in the Waterfront Revitalization District. It should be noted, however, that no significant natural communities and plant species are known to exist in the immediate waterfront area along the Champlain Canal, which is the main focus for revitalization.

Policy Standards

5.1 Protect significant coastal fish and wildlife habitats.

All projects involving waterfront access must be developed in a manner that ensures the protection of fish and wildlife resources. Planners should consider the potential impacts on fish and wildlife habitats, and the following guidelines will apply:

- Avoid ecologically sensitive areas when siting new development.
- Avoid activities that would impair the value of habitats through physical alteration, disturbance or pollution.
- Increase public awareness regarding the presence of special natural communities and also threats to natural ecological systems.
- Protect native populations by mitigating the potential spread of non-native species by increasing public awareness of how boats should be cleaned and debris discarded.

5.2 Support the restoration of significant fish and wildlife habitats where possible so as to foster their continued existence as natural, self-regulating systems.

- Retain valuable wildlife habitats and fish nursery habitat by protecting the wooded shorelines along the upper reaches of the canal.
- Increase public awareness of the habitat, flood control, scenic and recreation values associated with wetlands.

5.3 Protect and restore freshwater wetlands.

Wetland and wooded areas comprise a major portion of both shorelines of the Champlain Canal north of Lock 12 and south of the Poultney Street Bridge in the area of Wood Creek. These areas offer extraordinary habitat for wildlife, particularly birds and they are excellent places to view wildlife activities.

- Provide and maintain adequate buffers between wetlands and adjacent uses.
- Prohibit the placement of fill or excavation of wetlands.
- Promote the purchase of wetlands by the Nature Conservancy.
- Promote the Land Conservancy Birding Trail planned for Cooke's Island and surrounding environs.
- Integrate the wetlands surrounding Cooke's Island into an interpretive plan.

Policy 6 Protect and improve water resources.

The primary water resource in the WRA is the Champlain Canal. Other important water resources include South Bay and Wood Creek. The maintenance of these resources is paramount to revitalization goals in the Village of Whitehall. Water quality in the lower reaches of Lake Champlain is considered very good and presently not at high risk from the risk of future development. The waters of the Champlain Canal, however, are significantly impacted from stormwater runoff. Runoff from point sources in the Village of Whitehall includes unfiltered, untreated stormwater from the Village's sewage collection system. Other sources are less direct and are transported via the various creeks that discharge into the Canal.

Policy Standards

6.1 Prohibit direct or indirect discharges which would cause or contribute to lowering of water quality standards.

Point source discharges into the water resources will be prevented by avoiding land and water uses which would: exceed applicable effluent limitations; cause or contribute to the lowering of water quality standards; or materially adversely affect receiving waters.

The effective treatment of sanitary sewage and industrial discharges will be ensured by:

- Maintaining efficient operation of sewage and industrial treatment facilities.
- Reducing or eliminating combined sewer outflows.

- Providing and managing on-site disposal systems where appropriate.
- Ensuring that marina pump-out stations are adequately available for boaters and that checkpoints are made in appropriate locations along the Canal and Lake Champlain.
- Continue to upgrade the Village Sewer System so that overflows do not occur due to the infiltration of stormwater.

6.2 Minimize nonpoint pollution of waters and manage activities causing non-point pollution.

Non-point pollution that originates from sources that are not localized or easily identifiable. Limiting non-point sources of pollution will be accomplished by the following:

- Planning and initiating changes to the stormwater discharge system for stream beds and stream banks in order to prevent the erosion of soil, increased turbidity and irregular variation in velocity, temperature and water levels.
- Monitoring the water quality of the streams and creeks discharging into the Champlain Canal and Lake Champlain.
- Inventorying point source pollution discharges and planning how they can be mitigated.
- Preserving local wetland areas for their capacity to filter water pollution.

Dredging is an additional source of pollution to the waters of the canal. Dredging is an essential tool to maintain navigational canals and remove pollutants. These activities may adversely impact water quality surrounding Cooke's Island since this is the area that requires channel dredging every so many years.

- The State should undertake dredging activities carefully so as to minimize adverse impacts and to dispose of the dredge spoils in areas where it will cause the least harm and not limit the area from future public access.

6.3 Protect and conserve the quality and quantity of potable water.

- Continue to make the alterations to the Pine Lake Reservoir and Village Water System that will bring it into compliance with the DOH drinking water standards.
- Develop a watershed management plan for the Pine Lake Reservoir.

Policy 7 Minimize loss of life, structures, and natural resources from flooding and erosion.

There are significant 100-year floodplains associated with the Champlain Canal, Wood Creek, Mud Brook, East Bay and South Bay. Flooding is an issue in this community and major floods occurred as recently as 1977 and 1984. The LWRP, however, primarily involves redevelopment opportunities in an urbanized area along the Champlain Canal. The potential for erosion is very low and standards should concentrate on the retention of existing wetlands to help mitigate the potential for serious flooding.

Policy Standards

7.1 Minimize losses of human life and structures from flooding and erosion hazards.

- Locate development and structures away from areas of known flooding hazards.
- Require structures to be elevated or flood proofed, especially where a substantial improvement is planned.
- Investigate recent floods with the NYS Canal Corporation to find out how to better regulate water levels in the Champlain Canal during times of high water.
- Provide funds for housing rehabilitation in the floodplain only in the context of floodproofing, and only when determined as “no practical alternative”.

7.2 Preserve and restore natural protective features.

Natural protective features in in-land waters include wetlands and associated natural vegetation. These features should be preserved wherever feasible. Standards applicable to preserving and restoring wetlands and vegetation along streambanks and the canal include:

- Avoiding alteration or interference with shorelines in their natural condition.
- Restoring natural features wherever practical.
- Using vegetative approaches to stabilizing natural shoreline features.
- Increasing public awareness as to the benefits of wetlands.
- Promote open space and recreational uses to enhance lands bordering the Champlain Canal, particularly Cook’s Island, while minimizing impacts to the floodplain.
- Seek conservation easements along privately-owned lands east and west of Cook’s Island to protect wetlands and adjacent natural areas from future development.

7.3 Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.

Every effort should be made to protect the loss of public lands threatened by flooding and erosion using the techniques and standards described in the above section. In addition:

- Support the development of a plan that addresses flood mitigation at Lock 12 and the dam structure.

D. Environmental Policies

Policy 8 Protect and improve air quality in the coastal area.

This policy provides for the protection of Whitehall from air pollution generated within the waterfront area, or from outside the waterfront which adversely affects waterfront air quality. Air quality is excellent in the Whitehall region due to the local lack of heavy industry and a low concentration of population.

Policy Standards

8.1 Control or abate existing, and prevent new air pollution.

- Prevent new sources of air pollution by ensuring that future projects do not exceed thresholds established by the Federal Clean Air Act and State air quality laws.
- Reviewing land use or development in the waterfront area to ensure it does not generate significant amounts of nitrates and sulfates.

Policy 9 Promote appropriate use and development of energy and mineral resources.

The intent of this policy is to foster the conservation of energy resources by seeking alternative energy sources and minimizing the impact of fuel storage facilities.

Policy Standards

9.1 Conserve energy resources.

The conservation of energy should be an important consideration in the process of planning future projects. While the primary mode of transportation is the automobile, the Village of Whitehall has major rail service to Montreal, Rutland and New York City. The Champlain Canal is also an important transportation corridor for recreational users and tourists. Whitehall should continue to promote energy efficient modes of transportation, including rail and freight facilities. In addition:

- Promote ways of increasing energy efficient modes of travel by cooperative tourism planning with regional and Statewide organizations who are in the process of integrating modes of transportation for pedestrian, bicycle, automobile and various Champlain Canal uses.
- Promote energy efficient design in new developments.
- Promote greater energy generating efficiency through upgrades of existing public facilities.

9.2 Minimize adverse impacts from fuel storage facilities.

The following standards were derived from Environmental Conservation Law, Article 23, Title 17, and from Federal Safety Standards 40 CFR Part 193:

- Ensure that production, storage and retention of petroleum products is done in accordance with DEC regulations.
- Liquefied natural gas facilities must be safely sited and operated.
- Natural resources must be protected by complying with local, county and State oil spill contingency plans.

Policy 10 *Minimize environmental degradation from solid waste and hazardous substances and wastes.*

The intent of this policy is to protect people from contamination waterfront resources from degradation through the proper control and management of wastes and hazardous materials. Solid waste is not a significant local issue since it is managed on a regional basis in Washington County. All solid waste, except recyclables, is transported to the Adirondack Resource Recovery Facility for disposal.

Hazardous substances have been identified on several sites in the Waterfront Revitalization Area. These sites are presently being evaluated for their potential for redevelopment. The D & H property and tank farm parcel are located at gateway entrances into the downtown business district and present a negative image for the Village. Both parcels will need remediation before redevelopment can take place.

Policy Standards

10.1 Manage hazardous wastes to protect human health and control pollution.

Priorities include:

- Assess hazardous waste sites in the Village.
- Ensure no leakage from these sites is reaching Canal waters.
- Arrange for the remediation of inactive hazardous waste sites.

10.2 Prevent and remediate discharge of petroleum products.

Effective management of solid waste should follow the established State priorities for reducing, reusing and disposing of waste, including:

- Reduce the amount of solid waste that is generated.
- Require an adequate plan for the prevention and control of petroleum discharges at all petroleum-related facilities.
- Undertake clean up and removal of petroleum discharges according to State guidelines.
- Publicize and educate all boaters and marina operators about the impacts of refueling spillage and methods to prevent it.

10.3 Transport solid waste and hazardous substances and waste using routes and method which protect the safety, well being, and general welfare of the public and the environmental resources of the State, and protects continued use of all transportation corridors and highways and transportation facilities.

- Encourage the safe transportation of hazardous substances and wastes through the Waterfront Revitalization Area.

E. Public Lands, Recreation, and Culture Policies

Policy 11 Provide for public access to, and recreational use of, Canal waters, public lands, and public resources of the waterfront area.

There is presently excellent access to the waterfront along the Champlain Canal and Lake Champlain. This project proposes to enhance access points and connect points of interest along both sides of the Champlain Canal. Canal initiatives recently completed include a new boat launch facility which will alleviate the necessity of trailers having to go approximately 30 miles to the north or south of Whitehall. The proposed extension of the Canalway Trail, both north and south, will open up sections of the Champlain Canal to public viewing and enjoyment.

This policy incorporates measures needed to improve public access and recreational resources.

Policy Standards

11.1 Promote appropriate physical public access and recreation throughout the waterfront area.

Improving public access to the Champlain Canal is very important. Public access and new recreational facilities have the potential to attract tourists, improve the quality of life for residents, and generate revenues for the community. The trail, park development, and Lock 12 improvements will be the primary means of increasing public access to the Canal. In addition, the proposed wheelchair-accessible facility at South Bay, the planned arts/nature center and nature trails on Cooke's Island will provide new sources of public exposure to the waterfront.

The following standards should be used as a guide in making future decisions regarding public access and expanding recreational opportunities within the WRA.

- Require that all new development in the downtown business district that has direct access to the waterfront provide public access through easements or other methods so that the Canalway Trail can proceed.
- Promote the physical amenities such as marinas and waterfront restaurants associated with Whitehall.
- Work to develop the Canalway Trail and physical access linkages along the Canal.
- Promote the public acquisition of Cooke's Island for the purposes of creating public access to the natural features surrounding the island.

11.2 Provide public visual access to waterfront lands and waters or open space at all sites where physically practical.

To the extent feasible, views of the Champlain Canal and South Bay and public access locations should be expanded to allow appreciation of the beauty of these resources, and to increase the attractiveness of the waterfront for residents and visitors.

- Protecting view corridors provided by streets or natural resources.

- Prevent the loss of existing visual access by limiting the scale, design and location of structures and activities in the waterfront area.

11.3 Provide access and recreation, which is compatible with natural resource values.

Access and recreational activities must avoid adverse impacts on natural resources. The following factors should be utilized in determining the potential for adverse environmental effects: the intensity of the anticipated recreational activity; level of disturbance associated with the activity; and sensitivity of the natural resources involved.

Access should be limited where the uncontrolled public use of a recreational facility or public access site would impair the natural resources of that area. The following standards should be applied in analyzing projects along waterfront areas:

- Impose seasonal limitations on public access where necessary to avoid adverse environmental impacts or the ability of the community to monitor the site.
- Provide public access for passive and active fish and wildlife resource activities providing that access will not result in the loss of resources necessary to continue supporting these uses.
- Promote the development of pedestrian and bicycle trails along the waterfront to foster public appreciation for this resource.

Policy 12 Enhance visual quality and protect outstanding scenic resources.

There are several important scenic resources in the Waterfront Revitalization Area that make it unique and worthy of protection. Whitehall's Historic Preservation Local Law also recognizes scenic resources, as structures having architectural features that are historically important and deserving to be preserved.

Policy Standards

12.1 The policy should protect and improve visual quality throughout the waterfront area.

The scenic values associated with the waterfront along the Champlain Canal, which is designated as part of the Canal Byway, should be protected. Developments and activities in the waterfront area that add visual interest and excitement to the waterfront should be encouraged.

- Review the impact of new or redevelopment on existing visual resources.
- Restore deteriorated and degraded visual elements.
- Screen elements which detract from visual quality.
- Allow selective clearing of vegetation to provide or enhance public viewsheds.

12.2 Identify, develop and/or improve properties that have the potential to enhance the public's appreciation of visual resources.

The policy should protect aesthetic values associated with recognized areas of highest scenic beauty, including South Bay and Cooke's Island.

- Protect the scenic values located in South Bay, which has exceptional views into the Adirondack Park and the Champlain Valley.
- Develop Cooke's Island in a manner that does not significantly impair views. Limit structures on the island to unobtrusive buildings such as picnic pavilions.

Policy 13 Preserve historic resources.

The intent of this policy is to preserve the historic and archaeological resources of the Waterfront Revitalization Area. These resources are both points of interest for visitors and valuable links with the region's past. This policy recognizes the importance of preserving local treasures, as well as the overall heritage of the entire region.

Policy Standards

13.1 Maximize preservation and retention of historic resources.

- Provide for public investment in historic development so as to demonstrate to the business community the benefits of investment in these important resources.
- Avoid potential adverse impacts of development on adjacent or nearby historic resources by guiding size, scale, proportion, materials and buffer type to be compatible with the historic resource.

13.2 Protect and preserve archaeological resources.

The Champlain Canal has a long rich history with many sites of significance to the French and Indian War and the Revolutionary War. To ensure archaeological remains of these historic times and events are protected, all impacts on significant resources should be evaluated. Potential adverse impacts should be minimized by: redesigning the project; reducing the direct impact on the resource; or recovering data and artifacts prior to construction.

- Protect the old part of the Champlain Canal, located beneath Riverside Park, Skenesborough Park and Skenesborough Drive, which is on the National Register of Archaeological Sites, from disturbance during park renovations.
- Consider potential submerged archeological and cultural resources in shallow inundated or wetland areas that may have been preserved for prehistoric occupation and use. If any such sites are found, the Village should contact New York's Ad-Hoc Interagency Committee for Submerged Cultural Resources, which is responsible for establishing shipwreck preserves.