

SECTION V

**TECHNIQUES FOR LOCAL IMPLEMENTATION
OF THE PROGRAM**

A. LOCAL LAWS NECESSARY TO IMPLEMENT THE LWRP

1. Zoning Law

The City recently enacted a new zoning law which will assist in the implementation of virtually all of the waterfront policies. In addition to establishing use districts and area-bulk regulations, the new zoning law incorporates several provisions, such as site plan review, flood protection, and historic preservation, which commonly exist as separate ordinances or local laws. The result is a streamlined comprehensive law to guide and regulate development.

Key provisions of the Zoning Law which serve to implement the policies and purposes of the Local Waterfront Revitalization Program include the following:

- Waterfront District - This zoning district is located along the Mohawk River shoreline area (see Map 7). Permitted uses include parks, gardening, cultural facilities, rail facilities, marinas, boat docks, boat launch ramps, and boat storage. The limited range of uses permitted in this district discourages the siting of intensive, non-water-related uses, while encouraging water-related and recreational uses.
- Floodway District - This district prohibits all but open space uses, and serves to prevent the siting of structures within floodways.
- Floodway Fringe Overlay District - This overlay district requires that development to be located within flooding fringe areas be constructed in a manner which would minimize potential flood damage.
- Historic Resources Overlay District - This overlay district requires that development to be located within historically significant areas be undertaken in a manner which takes into account the historic or architectural value of the structure and its relationship to the historic value of the surrounding area.
- Site Plan Review - Site plan review by the City's Planning Board is required for all development, except parks, within the Waterfront District. Site plan review is undertaken to assure that development is well designed and incorporates adequate drainage, parking, landscaping, traffic access, compatibility with the existing neighborhood, etc.

2. LWRP Consistency Law

The LWRP Consistency Law requires that actions which are directly undertaken, funded, or permitted by the City be consistent with the provisions of the LWRP, and will serve to implement all of the waterfront policies. The text of this local law is set forth in Appendix A.

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

In addition to administering the above-cited local laws, the City and other governmental entities, as well as the private sector, will need to undertake various actions to implement the provisions of this LWRP. The following describes some of the key actions:

1. City

- a. Downtown Waterfront Park - the City will oversee the design and eventual construction of this park and its access connections to the Downtown. As part of this, and virtually any shoreline projects which the City initiates, the City must also obtain the necessary leases or permits from New York State or Conrail.
- b. West End Boat Launch - the City will oversee the design and construction of this public facility, which is being funded in part through a grant from New York State.
- c. Industrial and Neighborhood Revitalization - the City will need to initiate re-use feasibility studies for selected industrial structures which are vacant and deteriorated. In addition, the City will seek assistance from the federal and State government for community development activities aimed at revitalizing deteriorating neighborhoods.

- 2. Montgomery County Economic Development Corporation - the Corporation will oversee completion of the Chalmers Mill re-use feasibility study, which is being funded, in part, through a \$40,000 grant from the New York State Urban Development Corporation. It will be necessary for the Corporation, or other economic development agencies, to initiate similar feasibility and marketing efforts for other redevelopment projects aimed at vacant, under-utilized, or deteriorated industrial structures.

3. New York State

Canal Lands - a key component of this Local Waterfront Revitalization Program involves the use of lands adjacent to the Mohawk River/Erie Canal for a variety of water-related uses, such as parks, trails, and boating facilities. As such, the leasing of selected waterfront parcels by the State to the City or private-sector developers will be necessary for the construction of such facilities.

East End Boat Launch - maintenance and repair of the State-owned boat launch ramp located in the East End adjacent to the City's sewage treatment plant is necessary.

4. Private Actions

a. Conrail - the assistance of Conrail is needed in facilitating access by pedestrians to the shoreline. The development of public access improvements, such as parks, is severely constrained along the northern Mohawk shoreline by the lack of adequate rail crossings.

b. Boating facility - the development of a boating facility, such as a marina, along the South Side shoreline by the private sector is a key component in the City's waterfront revitalization strategy. The development of support businesses related to a marina, such as supply stores and lodging, is also needed.

c. Redevelopment of Industrial Facilities - private sector involvement is also needed for the re-use and redevelopment of the numerous vacant and under-utilized industrial structures located within the waterfront area. While the public sector can assist in this effort through the provision of economic incentives, the actual redevelopment of these structures must be undertaken by the private sector.

C. MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

The City formed the Waterfront Development Committee to oversee preparation of the Local Waterfront Revitalization Program. In addition, the Committee serves to review proposed actions within the waterfront area to assure their consistency with the LWRP. In this regard, prior to undertaking, approving, permitting, or funding a Type I or Unlisted Action, as defined by the State Environmental Quality Review Act, City

agencies, including the Planning Board, shall determine that the action is consistent with the provisions of the LWRP. In making their determination of consistency, City agencies shall first obtain the recommendation of the Waterfront Development Committee. In the event that the agency undertaking the action disagrees with the recommendation of the Committee, the Common Council shall render a consistency determination. See also Appendix A for the text of the LWRP Consistency Law which more fully sets forth the local review process.

With respect to proposed State actions within the waterfront, such actions will be reviewed in accordance with guidelines established by the New York State Department of State, and set forth in Appendix B.

D. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

The implementation of the projects set forth in this Local Waterfront Revitalization Program will require an undetermined amount of public funds, as follows:

- City - An obligation of City funds may be necessary for construction of a municipal waterfront park, although the City may seek outside grant funds for this project. A cost estimate is to be determined as part of the park design project, to be completed within 1992.
- State - Continued funding of the Mohawk Trail is needed for its completion. In addition, continued operation and upgrading of the Erie Canal is essential toward developing recreational boating and tourism opportunities.
- Conrail - Funding is needed for access improvements, such as pedestrian overpasses and traffic signal improvements, as part of Conrail's Service Enhancement Program.