

SECTION V
TECHNIQUES FOR LOCAL IMPLEMENTATION
OF THE PROGRAM

This section describes the local techniques -- legal, administrative, managerial and financial -- required to carry out the LWRP.

Part A describes legislation which implements the program. Part B sets forth specific implementing actions or projects. Part C describes the management structure to coordinate the program. Part D indicates the financial resources needed and, where possible, available to carry out specific proposed actions. Part E is a chart summarizing proposed actions and the policies from Section III to which they relate.

A. LOCAL LAWS AND REGULATIONS

1. Zoning Law

The Zoning Law establishes land use and density controls, in designated districts, based on a comprehensive plan. There are seven separate districts within the coastal area in the Village, plus special flood hazard districts, and an historic district. (See Map 9)

A number of amendments were adopted to implement the LWRP, as follows:

- a. W-Waterfront District: A new district which favors water related uses was established and the Zoning Map amended to indicate this district extending from Fourth Street, along the water's edge, to a point opposite Goodrich Street. (See Map 9)
- b. I-Industrial District: Expanded statement of purpose to include promotion and protection of water-dependent uses. Changed some permitted uses, (such as retail sales of non-marine products, offices, wholesale business, research and testing laboratories) to special permit uses so that the need for waterfront location can be considered prior to approval. Moved northern boundary south from 3rd Street to 4th Street.
- c. Supplemental Height Regulation: Added a new section 3.7 that restricts structures east of Route 385 to a maximum of 30 feet in height.
- d. Site Plan Approval: Added a new Section 5.6 which requires approval of a site plan by the Planning Board prior to issuance of a building permit. This provision applies to all new uses except one and two family homes and provides an opportunity to determine not only the functional characteristics of a use on its site but, also, its impact on many of the factors dealt with in the coastal policies (i.e. historic, visual, access, etc.).
- e. Average Density Development: A new Section 3.7 was added to allow "average density" subdivisions in which lot sizes may be varied so as to provide flexibility in design and preservation of natural features.
- f. Sign Regulations: A new Section 3.8 was added to regulate the size, location and type of signs permitted in the Village so as to preserve scenic views and the character of the historic district.

Application: The land use controls are essential tools for implementation of the Development Policies (1,2,2A, 4 and 5).

2. Subdivision Law

The law enables the Planning Board to establish standards for the sub-division of land into building lots including required improvements. The law also requires approval of a site plan prior to subdivision.

Application: These regulations are important to orderly development and particularly Development Policy 5, Flooding and Erosion Policies (14 and 17) Public Access Policies (19 and 20) and Water and Air Resources Policies (19 and 20) and Water and Air Resources Policies (32,33, 38, and 44).

3. Flood Damage Prevention Regulations

These regulations set standards for the type and location of construction in flood hazard areas designated by the Federal Emergency Management Agency. By enacting such legislation, the community enables property owners to be eligible for flood insurance and is entitled to federal aid in the event of a flood related disaster.

Application: These regulations are used to achieve Flooding And Erosion Policies (14 and 17).

4. Freshwater Wetlands Law

This law established the authority for the Village to implement the provisions of the New York State Freshwater Wetlands Act.

Application: This law applies to the goals established in the Fish and Wildlife Policies (7 and 7A), Flooding and Erosion Policies (14 and 17) and Water and Air Resources Policies (33,35,37 and 44).

5. Environmental Quality Review

This law requires compliance with the State Environmental Quality Review Act by all Village boards and agencies.

Application: Adherence to SEQR procedures allows an agency to identify possible adverse impacts of proposed actions on any aspect of the physical environment at the earliest possible stage and to recommend or require appropriate mitigating measures.

6. Creation of Waterfront Advisory Committee

A Waterfront Advisory Committee (see C. below) was established to coordinate and administer various actions necessary to implement the LWRP.

Application: This action relates to the entire LWRP.

7. Local Consistency Law

A local law was enacted to require that all local boards, agencies, commissions and departments act consistently with the policies established in the LWRP.

Application: This action relates to all aspects of the LWRP.

B. OTHER ACTIONS NECESSARY TO IMPLEMENT THE LWRP

Physical projects related to the LWRP are described in Section IV-B; required laws and regulations are set forth in Section V-A. Other actions that will further the policies of this LWRP are the following:

1. Scenic Roads Designation.

New York State's Scenic Byways Program recognizes the State's wealth of natural and cultural resources. This program is locally initiated for the purpose of enhancing tourism through planning and promotion.

A scenic byway is defined in New York State legislation as a transportation route along with the adjacent area which is of particular scenic, historic, recreational, cultural or archaeological significance and is managed to protect such character and to encourage economic development through tourism and recreation.

The State is particularly interested in designating roads along water bodies and is assessing the value of designating a scenic byway system in the Hudson River Corridor. The Village will urge designation of NY Route 385 as a scenic byway.

Application: Historic and Scenic Policies 23 and 25.

2. Historic Preservation and Revitalization Programs

The Village historic district and the Hudson-Athens Lighthouse are both listed on the National Register of Historic Places. Preservation and restoration of these sites is important to the cultural past and present economic revitalization of the community. The LWRP supports both of these efforts through the establishment of policies regarding each site to which local, state and federal actions will have to conform. In addition, the following local actions will further these programs:

a. Historic Preservation Guidelines

A set of comprehensive guidelines will be prepared for the historic district setting forth appropriate design and restoration techniques based on a detailed analysis of the existing architectural styles and the other elements which contribute to the historic significance and uniqueness of the district. These guidelines will suggest colors, materials, architectural details, landscaping elements, paving materials, fences, etc. that are appropriate for use in preservation and restoration projects in Athens. The guidelines will be prepared for use by property owners contemplating improvements as well as by local boards charged with review of proposed actions prior to approval.

b. Second Street/Waterfront Revitalization Study

A study will be undertaken to generate revitalization of the Second Street business area and the waterfront from the ferry slip to the sewage treatment plant. The study will identify business opportunities suited to the area and for which there is a demand; it will survey structures and sites which could accommodate such uses; it will research financial aids available and propose incentives to attract business; and, it will develop a program to market business development in Athens that is consistent with the waterfront policies. An important secondary objective of this study will be to recommend the appropriate mix of

uses and techniques to preserve the balance of residential and small scale business activity that makes Athens a pleasant place to live as well as visit.

c. Tourism Programs

A corollary to the revitalization study is the development of a program to promote and manage tourist activities in the waterfront area throughout the year -- winter activities as well as more traditional summer functions. A program will be prepared that identifies tourist markets, designs promotional efforts and coordinates advertising campaigns. The program will also plan tourist facilities and activities, including transportation, parking areas, maps, descriptive guides and special events that utilize all of the historic and recreational resources in the coastal area (lighthouse, historic district, boat launches, parks, trails, docking facilities, etc.). The possibility of a visitor's center will be investigated.

Application: Policies pertaining to this action are Development Policies 1, 2A, and 4, and Historic and Scenic Resources Policies 23 and 25.

3. Middle Ground Flats Management Program

Middle Ground Flats is an unused resource which can become either an asset or problem. It is owned by the state and is used as an ad hoc outdoor recreation facility although there is no specific management program or plans for its future use or development. It also provides a wildlife habitat and visual buffer between Athens and the City of Hudson. Before use and abuse become a serious problem, it is important that local and state government jointly study the options for this site, including possible sale to the Village and/or lease to private water related uses, and agree on its long range use, ownership and management. Any such use and management program must consider possible impacts on the Vosburgh Swamp and Middle Ground Flats Wildlife Habitat.

Application: A management plan for Middle Ground Flats will relate to Fish and Wildlife Policies 7, 7A, and 9; Public Access Policies 19, 19A, and 20; Recreational Policies 21 and 22; and Historic and Scenic Resources Policy 25.

4. Conservation Trust Feasibility Study

A study to investigate the feasibility of establishing a trust that can accept and administer easements, donations, or acquisition of lands to protect various natural resource areas and scenic views will be undertaken. The legal, operational and financial aspects of such a mechanism will be explored and a determination made as to its feasibility in Athens. An inventory of owners of potentially suitable sites will also be compiled.

C. MANAGEMENT STRUCTURE TO IMPLEMENT THE PROGRAM

1. Review of Local Actions

The Village appointed a Waterfront Advisory Committee and enacted a Waterfront Consistency Review Law, which establishes procedures for the review of proposed local actions to assure that they are undertaken consistent with the provisions of the LWRP. The provisions of this law require that Village agencies make a determination

of consistency with the LWRP after obtaining a recommendation from the Waterfront Advisory Committee. The text of the law is set forth in Appendix C.

2. Review of Proposed State and Federal Actions

Proposed State and federal actions will be reviewed for consistency with the LWRP in accordance with guidelines established by the New York State Department of State, which are set forth in Appendix D.

3. Other Waterfront Advisory Committee Functions and Powers

- a. Advise the Village Board on implementation priorities, work assignments, timetables, and budgetary requirements of the program.
- b. Subject to the approval of the Village Board, make application for funding from State, Federal, or other sources to finance projects under the LWRP.
- c. Maintain liaison with related Village bodies, including but not limited to the Planning and Zoning Boards, and with concerned non-governmental bodies, in order to further the implementation of the LWRP.
- d. Monitor in timely fashion the planned actions of state and federal agencies within the coastal zone in order to assure consistency of such actions with the LWRP, and recommend remedial action where necessary.
- e. Develop and maintain liaison with neighboring municipalities, and with County agencies.
- f. Prepare an annual report on progress achieved and problems encountered during the year, and recommend such actions as the Commission considers necessary for the further implementation of the LWRP.
- g. Perform other functions regarding the coastal zone as may be assigned to it from time to time.

D. FINANCIAL RESOURCES TO IMPLEMENT THE LWRP

Financial resources in varying amounts are required to implement the three types of actions in the LWRP--legal, administrative and physical projects. Resources necessary for the first two categories are relatively small and can be included in normal annual budget allocations. Although the list of physical projects has been intentionally limited to those of highest priority, several are beyond the Village's normal financial capacity.

Section VI indicates various State and Federal programs which may affect implementation of the LWRP, including some potential funding sources for specific physical projects. However, it is recognized that such funding is limited and competition for available funds is intense. Set forth below is the estimated cost of each proposed physical project and possible sources of funds to implement them. Preconstruction costs may be available from the New York State Department of State upon approval of this LWRP. Costs can be reduced by use of volunteers of Village labor forces.

1. Athens Ferry Slip Restoration Project at Second Street

- a. Estimated Cost: (see Exhibit II on following page)
- b. Possible Funding Sources

- New York State DEC
- New York State OPRHP
- Hudson River Foundation (Exxon Fund)
- Environmental Protection Fund

2. Waterfront Trails

- a. Estimated Cost: \$150,000 (15,000 lin. ft. @ \$10/ft)
- b. Possible Funding Sources
 - Private developers as part of large scale development. (Not included in cost estimates)
 - Utility Companies (power line R.O.W.)

3. Removal of Abandoned Barges

- a. Estimated Cost: \$175,000 (7 @ \$25,000 ea.)
- b. Possible Funding Source
 - U.S. Corps of Engineers

4. Rainey Park Improvements

- a. Estimated Cost: unknown
- b. Possible Funding Sources
 - New York State OPRHP
 - New York State DEC
 - Hudson River Foundation

E. SUMMARY CHART OF ACTIONS AND POLICIES

The following chart indicates the various implementing actions described in Sections IV and V, the Policy(ies) in Section III to which they are related and the local, State, or federal agencies responsible.

EXHIBIT II

PROJECT COST ESTIMATE FOR THE ATHENS FERRY SLIP RESTORATION

ITEM	OPTION #1 Village Property Only	OPTION #2 Village & Stewart House Property
	Total Project Costs	Total Project Costs
Bulkhead	\$455,500	\$523,700
Dredging	26,100	26,100
Walks & Promenade	289,652	309,152
Details & Misc.	196,850	196,850
Subtotal	\$968,102	\$1,055,802
Contingency	96,810	105,580
Engineering	15,000	15,000
Construction Inspection	10,000	10,000
Finance	5,000	5,000
Administration	20,000	20,000
Subtotal	\$146,810	\$155,580
Total Project Costs	\$1,114,912	\$1,211,382

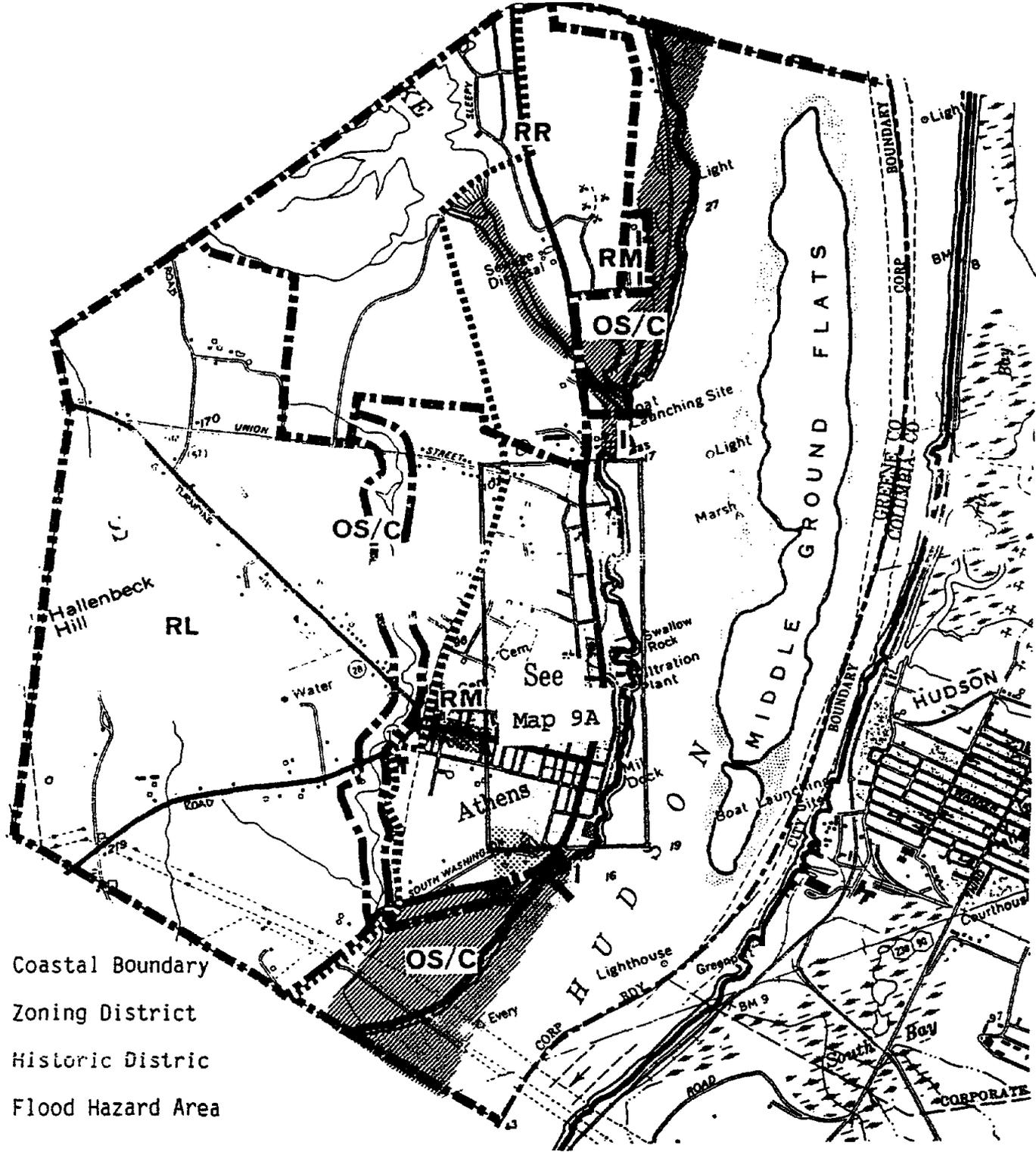
**ACTIONS AND POLICIES: SUMMARY
LOCAL WATERFRONT REVITALIZATION PROGRAM - VILLAGE OF ATHENS**

ACTION (see text for description)	Related Policies	Responsible Agency (s)*	Priority**
1. <u>Physical Projects</u>			
a. Athens Ferry Slip Restoration	1,2A,19,21	VB	1
b. Standpipe/Dry Hydrant	2,5	VB	1
c. Barge Removal	4,19,20,25	CE	1
e. Rainey Park Improvements	9,19,20,21,22,44	VB	2
f. White Elephant Trail	9,19,20,21	VB	3
g. Power Line Access	9,19,20,21,22	VB	2
h. Scenic Overlooks	21,22,25	VB/DOT	3
2. <u>Other Actions</u>			
a. Scenic Byways Designation	23,25	VB/DOT	2
b. Historic Preservation & Revitalization Programs	1,2A,4,23,25	VB/L/WC/P	1
c. Middle Grounds Flats Management Program	7,7A,9,19,19A,20,21,22,25	OPRHP/WC/OGS	2

* Responsible Agency
 VB Village Board
 DOT NYS Department of Transportation
 CE US Corps of Engineers
 P Private Property Owners
 L Lighthouse Committee
 WC Waterfront Commission
 OGS Office of General Services
 OPRHP Office of Parks, Recreation & Historical Preservation

** Priority (Priorities reflect discussion at Waterfront Advisory Committee meetings, responses to the Questionnaire, and project feasibility.)

1=high priority - 2=medium priority - 3=long range
 Priorities reflect discussion at Waterfront Advisory Committee meetings, responses to the Questionnaire, and project feasibility



- Coastal Boundary
- Zoning District
- Historic District
- //// Flood Hazard Area



Local Waterfront Revitalization Program

VILLAGE OF ATHENS

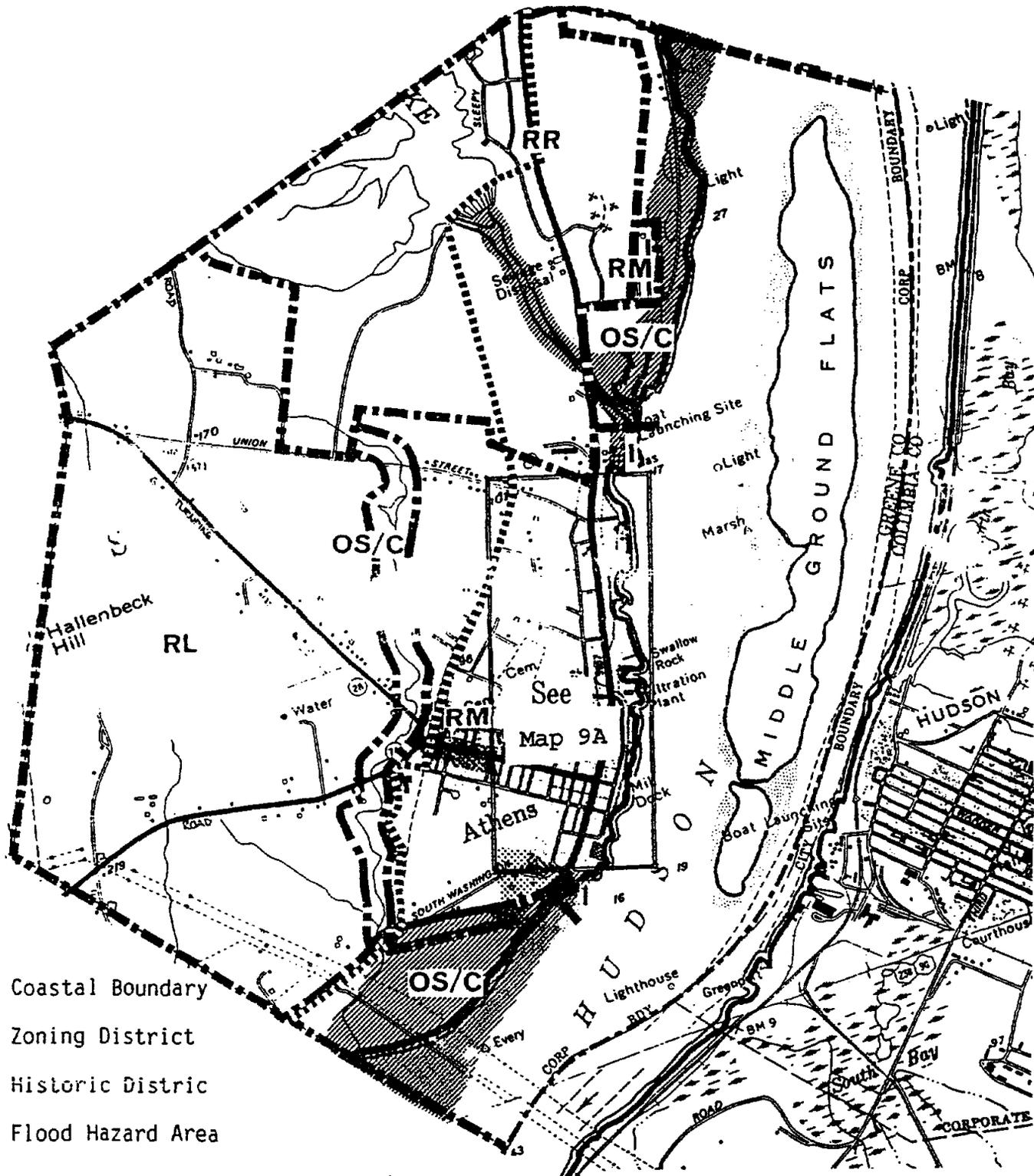
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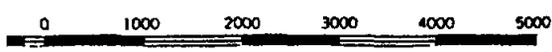
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Shuster Associates

Planning Consultants



- Coastal Boundary
- Zoning District
- Historic District
- //// Flood Hazard Area



Local Waterfront Revitalization Program

VILLAGE OF ATHENS

Planning Consultants

ZONING

Map No.

9

Chuster Associates

