

SECTION II - Inventory and Analysis

The City of Beacon encompasses an area of approximately five square miles (3,127 acres) and is located on the east bank of the Hudson River in the southern portion of Dutchess County. The Town of Fishkill surrounds the City on three sides, while the Hudson River forms the boundary on the fourth. The Hudson Highlands are immediately south of the City, while the City of Newburgh lies directly across the river.

The City's Waterfront Revitalization Area encompasses nearly one-fourth of the City's total area. Included in the coastal area are all lands west of Route 9D along the Hudson River and Fishkill Creek (south and west of Route 9D). Currently, a large portion of the coastal area is available for potential development (or redevelopment), since approximately 200 acres are vacant or underutilized.

Because of the large amount of potentially developable land in the coastal area (both on the waterfront and inland), planning and development policies for the area are particularly important. The guidelines for the City's future development are provided by the City of Beacon Development Plan, adopted in 1974. In addition, development in the Urban Renewal Area Project #1, located in the central section of the coastal area between the railroad station and central business districts, is guided by the Urban Renewal Plan (revised in 1981). As part of the waterfront revitalization program, these existing plans will be reviewed in light of the coastal policies, as well as community objectives relating to the waterfront (see Section V).

Inventory of Existing Conditions

The initial steps in the planning process entailed a review of existing inventories and plans, and the subsequent updating of basic inventories where pertinent. Existing land use patterns, physical characteristics, historic properties and environmental concerns were analyzed as part of identifying issues, problems and opportunities in the coastal area.

The inventory of the existing conditions within the boundaries of the harbor management area is included in Appendix C- City of Beacon Harbor Management Plan (HMP).

A. Existing Land Use and Development Patterns

The existing land uses in the Waterfront Revitalization Area are largely residential and institutional, with scattered industrial uses near the Hudson River and Fishkill Creek. A large part of the area (approximately 200 acres) is vacant or underutilized land; often consisting of steep hillsides with highly erodible soils. The railroad tracks run along the river for the length of the city, limiting water access to three peninsulas.

The northern end of the City and the coastal area is defined by Interstate 84 and the Newburgh- Beacon Bridge access. Immediately to the south of I-84 is a large lot residential area (lot sizes ranging from approximately 2-15 acres) and the Southern Dutchess Country Club. The relatively level Country Club

area is bordered by houses on the west and south. The land plunges abruptly towards the river behind the houses to the west of the Club.

To the south of the Country Club area are three multi-family apartment developments, including Tompkins Terrace, a 192 unit UDC project, and a private garden apartment complex. While conditions are generally good in these two developments, the third (to the south of the other two) exhibits a haphazard development pattern and fair to poor building conditions. South and east of the multi-family developments is the High Street residential area. This street of picturesque one and two family Victorian homes has been nominated to the National Register of Historic Places. Building conditions range from very good (restored buildings) to fair.

The Urban Renewal Area - Project #1 encompasses most of the land in the central part of the Waterfront Revitalization Area. A map of the 1981 Urban Renewal Area plan shows the projected uses for Project #1. This area includes a mixture of historic churches, new industrial and commercial uses, and both old and new residential buildings amongst approximately 50 acres of vacant, yet to be developed land. The Spy Hill area, an enclave of large Victorian homes, is at the highest elevation of the Urban Renewal Area.

Directly to the west of the Urban Renewal Area are the Beacon Railroad Station, Riverfront Park and the Long Dock peninsula. Riverfront Park provides the City's only public access to the Hudson waterfront. Directly south of the present park is the harbor and former ferry terminal. The planned second phase of the park development, which will include a boat ramp and possible marina facilities, is a major concern for this area. However, at present, recreational use of the water (including boating and fishing) is restricted by the presence of the old ferry piers, which take up much of the harbor.

Directly east of the old ferry terminal is the Railroad Station. The station building was destroyed by fire several years ago; and has been replaced by a new structure.

Long Dock is the large peninsula to the south of the harbor. Uses on Long Dock include two water dependent uses' -- an oil terminal and a small boat club -- in addition to a salvage yard and salt storage area. Much of Long Dock is presently vacant or underutilized.

South of the Urban Renewal Area the Waterfront Revitalization Area boundary swings east to encompass Fishkill Creek and the adjacent hillsides. The land nearest the railroad tracks on the Hudson is low-lying and often marshy. Uses are largely limited to the City's sewage treatment plant and other public works facilities. The largely vacant, wooded Denning's Point peninsula to the west of the railroad tracks was purchased by New York State Office of Parks and Recreation and Historic Preservation (OPRHP) in August 1988. The Hudson River is separated from the Fishkill Creek estuary by a 180 foot high hill which rises above the marshy area east of the Railroad.

The western bank of Fishkill Creek is lined by industrial uses and a spur of the railroad. The scattered residential uses above the railroad are of mixed ages and conditions. The eastern bank of the creek encompasses undeveloped wooded hillsides.

B. Existing Zoning

Zoning is the primary land use control device available to the City. In addition to the permitted use categories, the ordinance also includes sections regulating use of flood prone (Section 344) areas, wetlands (Section 315.1) and steep slope areas (Section 315.2).

Twelve of the original (prior to LWRP) 18 zoning categories in the City's ordinance (adopted in 1977) were found in the coastal area. These included:

- R1-40 One family residence - minimum lot size 40,000 square feet; also permits religious institutions; public schools, libraries, parks, etc.
- R1-20 One family residence - minimum lot size 20,000 square feet; same uses permitted in R1-40 district.
- R1-10 One family residence - minimum lot size 10,000 square feet; same uses permitted as in R1-40 district.
- R1-7.5 One family residence - minimum lot size 7,500 square feet; same uses permitted as in R1-40 district.
- RD-6 Designed Residence District - 6,000 sq. ft. per dwelling; minimum lot size 5 acres; one and two family residences and multi-family residences in addition to other uses permitted in R1-40 district; maximum height of 2.5 stories.
- RD-3 Designed Residence District - 3,000 sq. ft. per dwelling; minimum lot size 5,000 square feet; same uses permitted as in RD-6 district, maximum height 2.5 stories.
- RD-1.8 Designed Residence District - 1,800 sq. ft. per dwelling; minimum lot size 5,000 square feet; same uses permitted as in RD-6 district; maximum height of 10 stories.
- RMF-1.5 Multi-family -- 1,500 sq. ft. per dwelling; minimum lot size 5,000 sq. ft.; same uses permitted as in RD-6 district; maximum height of 13 stories.
- GB General Business -- uses permitted in LB District in addition to theatres, wholesale commercial uses, workshops, and automotive commercial uses subject to special permit.
- LB Local Business -- residential uses, offices, retail stores, restaurants by special permit.
- LI Light Industrial -- industrial uses using electric power only; wholesale storage (excluding junkyards) by special permit.
- HI Heavy Industrial -- uses permitted in the GB and LI districts; other non residential uses deemed appropriate by the Board of Appeals.

In order to implement the LWRP certain zoning amendments were enacted:

In many instances the zoning remained the same since such zoning was in accordance with existing development. In most instances, changes in zoning were enacted where they are more in accordance with existing development or proposed development than was the pre-existing zoning. In other instances changes were made to effectuate the LWRP by encouraging development which was more in

keeping with coastal goals and protection of coastal resources. An example was the change from "Light Industrial" to "Residential" of the steeply sloped banks of the Hudson west of South Avenue. Another was the change from "Heavy Industrial" to "Light Industrial" of several parcels east of the railroad tracks.

However, the most significant change in zoning was along the City's riverfront. Most of this area was originally zoned for "Heavy Industrial" use. The LWRP proposed major changes in zoning by eliminating all "Heavy Industrial" zoning and replacing it with two new waterfront zoning districts which have been developed as part of the LWRP -- the "Waterfront Park" and "Waterfront Development" districts. These two zones are discussed below.

R1-40 This is the lowest density residential zone in the City. Presently only the southern Dutchess Country Club area and a section of South Avenue across from Wodenethe and Rosenethe are zoned R1-40. The LWRP recommended that two additional areas be re-zoned R1-40. The first is Spy Hill (presently zoned RD-3). The R1-40 zone is more consistent with the density of existing development and the value of the historic resources located in the Spy Hill area. The second is an area in the very southerly section of the City known as the "Polo Fields", presently zoned RI-20. The R1-40 designation is more appropriate to the density of proposed development in this area and more consistent with the surrounding uses and the proximity to the Fishkill Creek.

Additionally, the LWRP proposed that the pre-existing R1-40 zone along the westerly side of South Avenue be extended in depth to include a portion of land (presently zoned "Light Industrial") along the steeply sloped areas overlooking the Hudson.

RI-20 There were no changes proposed in the R1-20 zoned areas.

R1-10 Under the pre-existing zoning, only the area to the west of South Avenue and along Denning's Avenue was designated as R1-10.

The LWRP also recommended that the Bayview/Kittridge area, formerly zoned RD-3, be re-zoned to R1-10. This zone is much more in keeping with existing development.

R1-7.5 The R1-7.5 zoning in the vicinity of Lafayette Avenue and the westerly frontage along North Avenue was expanded to include the High Street area (presently zoned RD-3). This change in zoning is much more consistent with existing development. Additionally, a very small triangle of land in the High Street area was re-zoned to be part of the R1-7.5.

The old Tool and Die Works area, including the firehouse, St. Andrews Church and Martin Luther King Center, was recommended to be changed from RMF-1.5 to R1-7.5 to be more consistent with patterns of existing development. A small area south of Rombout Avenue presently zoned RD-3, was also recommended to be re-zoned to R1-7.5.

RD-6 The LWRP proposed that an area to the west of Bank Street and to the north of Branch Street known as the Prizzi property, and a small parcel surrounded by the Prizzi property, be re-zoned from RD-3 to RD-6. These properties are rugged in their terrain and this terrain effectively limits their future redevelopment potential. The RD-6 density is in keeping with the actual development potential of the properties for the dwelling unit type (townhouses) most likely to be constructed on the sites.

RD-3 As described above, certain areas formerly zoned RD-3 were re-zoned to lower densities. Other areas, including Fishkill Landing North and Fishkill Landing South, remained designated RD-3. It was recommended that the lands between Ferry Street and Beekman Street (Urban Renewal Parcels "L" and "W" and including Hammond Plaza) be re-zoned from RMF-1.5 to RD-3. The RD-3 zone is consistent with proposed development plans that have been submitted to the City and conforms to the existing land use designation. Since this is a major vacant parcel within the Waterfront Area, the planning of this site will be very important to the integrity of the LWRP. Strict architectural and design controls will be the most important factor in assuring high quality development and the preservation of views in the Coastal Area.

RD-1.8 Only the Community Interfaith Housing Development west of South Avenue and east of South Davies Terrace is designated for RD-1.8 zoning. The area is already fully developed.

LB The area presently zoned for "Local Business" south of the intersection of Beekman Street and Ferry Street, is a triangle of land presently the site of the Epstein Law Offices. The LWRP recommended that this zone be extended to include a small parcel across Beekman Street presently zoned "GB." The uses permitted in the "LB" zone are more appropriate to the size of this site and the nature of the surrounding area. The Loopers Plaza area continues to be zoned "Local Business," as does a small property on Beekman Street opposite lower Main Street.

LI As noted above, certain areas previously zoned as "Light Industrial" were proposed to be changed to less intensive districts. These include the steeply sloped areas of the banks west of the residential area on South Avenue (re-zoned from 11 to R1-40) and the area on Denning's Avenue, re-zoned from LI to R1-10.

Additionally, several areas previously zoned for "Heavy Industrial" use were recommended to be re-zoned to "Light Industrial." These include the areas south of the Fishkill Creek and the parcel of land on River Street just beyond its intersection with Main Street. Thus, overall, the portion of the City zoned for "Light Industrial" uses remains about the same.

The City also amended the Schedule of Regulations for Non-Residential Districts in the Zoning Regulations so as to allow the principal and accessory uses permitted in the General Business zoning district to be permitted in the Light Industrial zoning district as well. This expanded the range of uses permitted in the Light Industrial zoning district to those appropriately found in this kind of zone.

HI The "Heavy Industrial" zoning designation has been removed from all properties within the City's LWRP area as discussed in other sections.

WD and WP New Waterfront Zoning Districts -- A central goal of the LWRP is to revitalize the City's riverfront, encourage appropriate recreational and open space uses of publicly-owned land at the river and encourage the revitalization of presently underutilized privately-owned lands at the riverfront. In order to do this, the LWRP proposed two riverfront zones -- Waterfront Park and Waterfront Development. The "Waterfront Park" district covers all of Riverfront Park, the Old Ferry Landing, the City-owned lands at the north shore of Long Dock and encompasses the abutting lands of the railroad.

City of Beacon Local Waterfront Revitalization Program

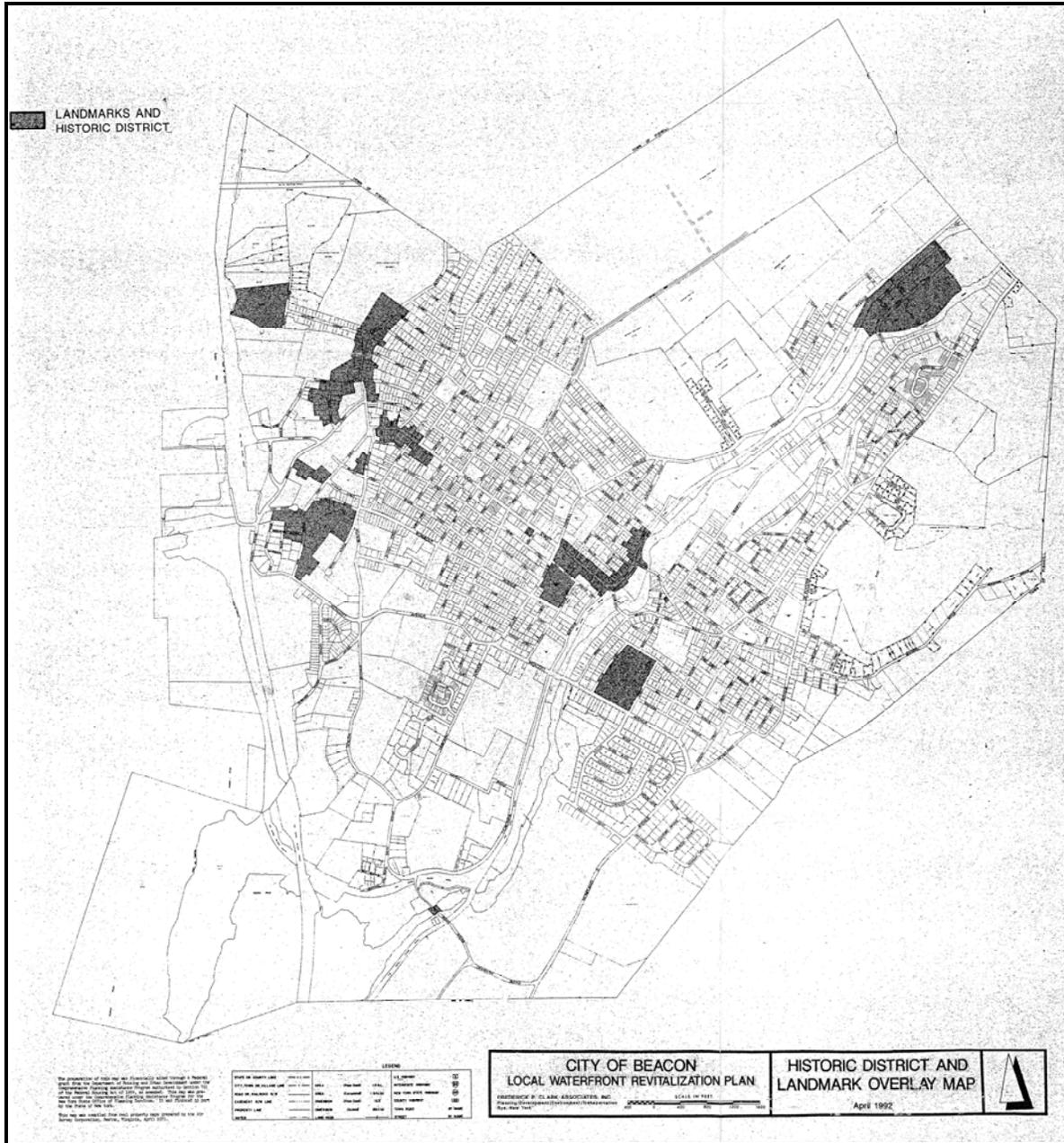
Denning's Point, previously zoned "Heavy Industrial" was re-zoned to "Waterfront Park." This area includes the peninsula itself and the estuary area of Fishkill Creek.

The remaining areas of the waterfront, which are privately owned, were re-zoned to "Waterfront Development." This zone will encourage revitalization of the riverfront area by promoting mixed use development including residential, marina, restaurant, and small scale retail to serve adjoining uses and the commuter population. These will complement the uses that exist at Waterfront Park and future uses planned for the City's harbor area. Both encourage the provision of pedestrian linkages between Waterfront Park and Denning's Point.

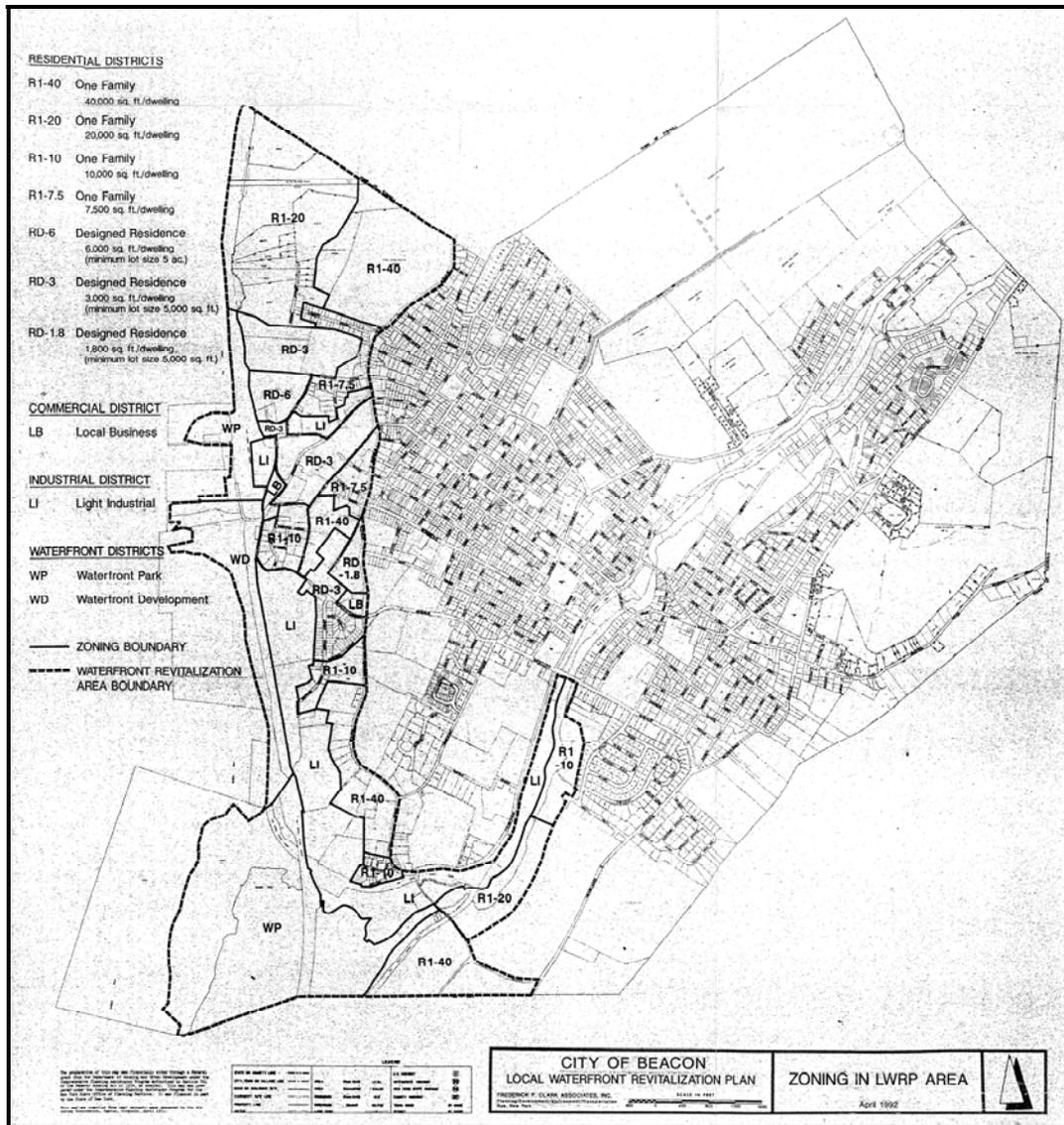
The City's Zoning Law was also amended to eliminate inconsistencies with the Flood Damage Prevention Law.

The zoning law revisions will assist in the implementation of the LWRP with respect to Policies 1, 1A, 1B 1C, 2, 4 4A, and 4B regarding development along the waterfront, Policy 18 in the protection of coastal areas, Policies 19, 19A, 19B, and 20A in the provision of public access along the waterfront, Policies 21, 21A, 21B, 21C, 21E, 22, and 22A in the enhancement and encouragement of recreational areas, Policies 23 and 23A in the protection of significant historic and cultural structures and sites, and Policies 25 and 25A to preserve the scenic quality of the local topography and character of the City.

City of Beacon Local Waterfront Revitalization Program



Map 2 - Historic District and Landmark Overlay



Map3 – Existing Zoning in LWRP Area

C. Cultural Resources

The City of Beacon has numerous buildings and structures of historic value. The City's historic resources reflect Beacon's development from two rural 18th Century villages (Fishkill Landing on the Hudson River and Matteawan on Fishkill Creek) to prosperous 19th Century industrial towns. (The City of Beacon was formed in 1913 by the merger of the two villages.) Some features of Beacon's past no longer exist, such as a Hudson River Ferry service (operating from 1743 to 1963) and the Denning's Point brickyards. But a great many historic structures have been preserved; including 19th Century mills on Fishkill Creek, Victorian estate houses and numerous homes, churches, and commercial buildings of differing ages and architectural styles.

In 1982, a study of the City's cultural resources was undertaken. Approximately 320 structures were surveyed, including many within the Waterfront Revitalization Area. The survey led to the approval for nomination of 35 individual buildings and four districts to the National Register of Historic Places. One of the proposed districts is in the Waterfront Revitalization Area. The Tompkins Street-High Street Historic District includes attractive Victorian homes, which have sustained little alteration.

Individual buildings within the coastal area which were approved for nomination include the following:

- St., Andrews Episcopal Church
- Wicopee Cotton Mill (Fishkill Creek)
- 575 Wolcott Avenue
- 45 Ferry St.
- Christie House

In addition to those buildings approved for nomination, two properties within the coastal area are currently listed on the National Register: the Tioranda Bridge, which spans Fishkill Creek; and Eustatia, an estate house overlooking the Hudson River in the northern part of the area; and the Dutch Reformed Church/Parsonage.

Many other areas and buildings within the waterfront area are of local historic interest, including the Spy Hill Historic District which encompasses several large Victorian homes situated on a prominent hill overlooking the Hudson, and the Groveville area on the Fishkill Creek.

The NYS Office of Parks, Recreation, and Historic Preservation has identified the Beacon waterfront as sensitive for the presence of archeological sites, representing settlement patterns important to our understanding of the State's prehistory and history. Any ground-modifying construction should be preceded by an archeological investigation through consultation with the State Historic Preservation Officer when necessary.

D. Physical Characteristics/Environmental Features

Beacon's physical characteristics, in the coastal zone shown on the Development Considerations map, vary widely from the flat waterfront terrain to the steep slopes of the Hudson Highlands.

The City of Beacon is located on the "lowlands" at the northern edge of the Hudson Highlands. The geology of the area is dynamic. To the south and east of the City are Breakneck Ridge, South Beacon and North Beacon Mountains (all part of the Hudson Highlands). These rugged mountains are largely formed of granitic gneiss; a metamorphic formation of Precambrian origin that dates back to 1,100 million years ago. These are the oldest rocks in the area, and are also the most resistant to weathering.

North of the Highlands, the river widens from as narrow as one-half mile wide to approximately one and one-half miles wide. Here, the underlying rocks are largely shale of the Normanskill Formation. The Austin Glen member, comprised of graywackes, silt stones and black and gray shale, underlies most of Beacon. These sedimentary rocks are much more recent in origin, dating to the Middle Ordovician period. On top of these more easily erodible shales are glacial deposits, left by the receding glaciers. The

river was higher during this period, resulting in lacustrine (lake-laid) sediments along much of the Hudson and Fishkill Creek waterfronts. Denning's Point, for example, contains "good quality" Pleistocene clay deposited during one of the river's higher periods.

The Hudson River is separated from most of the City by steep hillsides; elevations rise from nearly sea level to 140 feet above sea level in less than one quarter of a mile. (In this respect, the Hudson still occupies a gorge in the more level areas north of the Highlands.) Slopes above the river often exceed a 25 percent gradient, and many of the hillsides are composed of highly erodible soils.

Because of the fact that the Hudson River is essentially at tide water elevation at Beacon, the Flood Hazard Area is relatively narrow for most of the City's riverfront. The elevation of the 100 year flood on the river at Beacon is estimated to be eight feet. Thus, the Hudson River's 100 year flood boundary is more or less confined to the area west of the railroad tracks. The only large areas within the boundary are Riverfront Park, Long Dock and a very small portion of Denning's Point. History indicates that flooding on the river can occur during any season, and although few residences and other buildings are within the area, there can be damage to waterfront structures and marine uses.

The 100 year flood zone for Fishkill Creek is also fairly narrow. However, the Creek's 100 year flood plain is divided into a floodway and floodway fringe. The floodway includes the stream channel and any adjacent floodplain areas that must be kept free from structures and fill that would block a 100 year flood, causing substantially increased flood heights. (Flood-ways are not applicable to tidal areas; thus no flood-way was designated for Beacon's Hudson River shore front.)

At the mouth of Fishkill Creek is a large freshwater marsh which is a Class I designated Freshwater Wetland (WT-1) by the New York State Department of Environmental Conservation. The creek and marsh have been designated as a Significant Coastal Fish and Wildlife Habitat by the Department of State.

Issues and Opportunities

The analysis of existing uses and conditions in Beacon and discussions with various interested groups and persons have resulted in the identification of a number of issues and opportunities in the Waterfront Revitalization Area.

Beacon's Waterfront Revitalization Area contains many of the uses common to the older Hudson River towns -- including the railroad tracks paralleling the riverfront, historic buildings and areas in need of preservation, deteriorating waterfront uses, lack of waterfront access and more recent residential and industrial uses. But it also contains an unusually large amount of vacant and underutilized land (much of it wooded and with steep slopes), which could be developed and/or redeveloped. The issues and opportunities reflect this mixture of "old riverfront town" and "semi-rural" characteristics.

The issues and opportunities have been organized by categories that relate to the coastal policies which will be discussed in the next section. Categories of issues include Land Use and Development, Fish and Wildlife, Flood and Erosion Hazard, Public Access, Recreation, Scenic Quality/Aesthetic Resources, Energy and Water Resources.

A. Land Use and Development

Deteriorated and Underutilized Waterfront

Beacon's waterfront is similar to other urban waterfronts in that many uses have become obsolete and thus have declined or disappeared altogether, resulting in underutilized and deteriorated land and buildings. In addition, there are almost no water-dependent uses and very few water-enhanced uses (limited largely to the Sloop Club, Riverfront Park, the Dutchess Boat Club and the Garrett Storm oil tank farm) on the waterfront. The underutilized areas on the waterfront provide Beacon with valuable opportunities for waterfront use and development, as the development of the Riverfront Park demonstrates. More discussions and proposed projects for this area are included in Appendix C – City of Beacon Harbor Management Plan.

a. Beacon Harbor and Ferry Pier

With the closing of the Newburgh-Beacon Ferry Service, the City's waterfront ceased to be used for transportation, and the harbor began to deteriorate. Major consequences include decreasing public access, siltation of the harbor, and the growth of water chestnuts and other vegetation that make use of the harbor by all vessels even more difficult, and in some areas impossible. The old ferry pier is in dilapidated condition, and is both dangerous and an eyesore. It is fenced off from the shore as a safety precaution, with the result that access to the water (and harbor) is very limited. The site is considered suitable as a boat launch, marina facility, or as a promenade for fishing, walking, sitting, etc. There is a need for an improved boat launching ramp, as well as other marina facilities. The possibility of reinstating passenger ferry service from Newburgh and other locations is also being considered.

The discontinuation of the necessary dredging to keep much of the City's waterfront open to large boats has made it virtually impossible for many large ships to dock in Beacon, and has greatly limited the potential for expanded recreational boating as well. Dredging the harbor would increase the amount of usable space.

b. Beacon Sloop Club, Inc.

The Beacon Sloop Club has long been the focus of much of the waterfront activity and revitalization in the City. However, the Club is expanding its facility in order to carry on and expand its many river-related functions and activities.

c. Long Dock

The Long Dock area is partially used for the Garrett Storm oil tank farm, the Dutchess Boat Club (limited to 100 members by the size of the facility), a salvage yard, and salt storage. The unused portions of Long Dock are covered with scrub vegetation and dumped materials. In its current condition Long Dock constitutes a blight on the visual landscape.

Important issues include future land use of the area under the WD- Waterfront Development Zoning District, the limited public access and the need for additional

marina and recreational docking facilities. Appropriate uses for this area should be a major consideration for the revitalization of the waterfront.

d. Denning's Point

The major undeveloped parcel of land along the City's waterfront is the 65 acre Denning's Point peninsula (once the location of successful brickyards). This area is almost totally unused forest and brush land, with the exception of an abandoned industrial building near the entrance to the peninsula. At one time, the peninsula was shown as a potential part of the Hudson Highlands State Park. In 1988 the State purchased this property, thus restricting development to recreational uses only. Access to the peninsula is provided by a narrow wood and steel bridge over the rail road. In the event of more intensive use, the bridge and access road would have to be improved. The State Office of Parks, Recreation and Historic Preservation is currently working on a management plan for this area and will address the issues of future use and public access.

Large Undeveloped/Underutilized Land Parcels

Beacon's coastal area includes a large number of vacant or underutilized land parcels. The northern portion of the area includes a number of large residential lots (ranging in size from approximately 2-15 acres) between the Southern Dutchess Country Club and river. Development of portions of this area would have to be carefully controlled because of excessively steep slopes and high erosion hazard.

The central portion of the coastal area includes Long Dock and the few remaining undeveloped parcels in the Urban Renewal Area (approximately 20 acres ranging in size from one-third to nine acres). The future development of Parcels L and W, within the Urban Renewal Area are especially important to the character of the City because they are on either side of an historic landmark and form the "bridge" between the waterfront and the Central Business District.

The southern part of the coastal area contains the largest amount of vacant and underutilized land, Denning's Point (approximately 60 acres). The future use of the property will have a great impact on the aesthetic and environmental quality of the area.

Transportation

a. Roadways

- (1) Beacon is accessible from 1-87, which runs from north to south on the west side of the Hudson and from 1-84 which goes from east to west on the north side of Beacon. There are also major city arterial roads which provide direct access to the waterfront area.
- (2) State Route 91:10 is the major north-south route through the western portion of the City.

b. Railroad Station

- (1) Passenger service is available on a regular basis. The station capacity at Beacon is, however, in question. The previous railroad station was once a focal point for the City's transportation network, as the link between water transportation (via the Ferry) and rail

transportation. With the cessation of the Ferry service and the destruction of the station by fire some years ago, the station area declined. It was recently cleaned up and refurbished by Metro North.

- (2) Parking capacity attached to the railway appears to be inadequate due to increased railway commuting. Cars line all the access streets into the riverfront area during the daytime hours. This problem needs to be addressed.

City-River Relationship

Beacon has historically had a close relationship with the Hudson River. In the early days of Fishkill Landing, the Village's standing as a major river landing enhanced this relationship. The movement away from the river, resulting from the cessation of the ferry service and other water-dependent uses during the mid- twentieth century weakened the City's relationship with the river. However, recent years have seen a renewed interest in the river, as evidenced by the construction of Riverfront Park. The river is a valuable resource which can be better used and enjoyed by City residents.

Lack of Water Dependent and Water Enhanced Uses

The Beacon waterfront has few existing water-dependent and water-enhanced uses. Water-dependent uses are limited to the Dutchess Boat Club and the Beacon Sloop Club. Riverfront Park is the lone water-enhanced use. Because of the railroad tracks which so closely parallel the shore, there is little potential for numerous water-dependent uses along Beacon's waterfront; however, both Long Dock and Dennings Point offer opportunities for increasing water-dependent and enhanced activities.

Lack of Adequate Water and Sewer Systems West of the Railroad

The area west of the railroad is presently not sewered. This can potentially hamper new development on Denning's Point and Long Dock and in the Harbor Area. Because of the potential value of these areas to the City for water dependent and enhanced uses, adequate water supply and sewage disposal is essential. Water and sewage lines are included in the plans which are currently underway to build a new connecting bridge to the railway.

B. Fish and Wildlife

Fishkill Creek Estuary and Marsh

a. Location and Description of Habitat:

Fishkill Creek is located on the east side of the Hudson River, in the City of Beacon and the Town of Fishkill, Dutchess County (7.5' Quadrangle: West Point, N.Y.). Fishkill Creek Estuary and Marsh have been designated by the NYS Secretary of State as a Fish and Wildlife Habitat of Statewide Significance under the NYS Coastal Management Program. (See Appendix A, Coastal Fish and Wildlife Rating Form, Project Narrative and Maps.)

The fish and wildlife habitat is an approximate one-half mile segment of this relatively large, perennial, warmwater stream, extending from its mouth on the Hudson River to the first dam upstream. A short section of Fishkill Creek below the dam flows over a steep, rocky, rapids. However, most of the habitat (up to the first road bridge) is within the tidal range of the Hudson River, and contains extensive areas of mudflats, emergent marsh, and subtidal beds of aquatic vegetation. The habitat includes an approximate 80

acre shallow bay area located at the creek mouth (west of the Conrail railroad), and undeveloped portions of Denning Point, a wooded, area bordering Fishkill Creek, including Denning Point, remains in a relatively natural condition. Habitat disturbance in the area is generally limited to the presence of road and railroad crossings, invasion by water chestnut, upstream water uses, and potential effects of industrial and landfill operations located just north of the area.

b. Fish and Wildlife Values:

Fishkill Creek is one of about 5 major tributaries emptying into the lower portion of the Hudson River estuary. The diversity of natural ecological communities, and lack of significant human disturbance in the area, provides favorable habitat conditions for a variety of fish and wildlife species. Habitat quality in the open bay portion may be reduced by extensive invasion by water chestnut. However, several rare plant species, including subulate arrowhead, and kidneyleaf mud-plantain, occur in the estuarine portion of Fishkill Creek.

The Fishkill Creek is an important spawning area for anadromous fishes, such as alewife, blueback herring, white perch, tomcod, and striped bass.

Generally, these species enter the stream between April and June; the adults leave the area shortly after spawning, and within several weeks, the eggs have hatched, and larval fish begin moving downstream to nursery areas in the Hudson River. An exception is tomcod, which spawn in the area in December and January. A substantial warmwater fish community also occurs in Fishkill Creek throughout the year. Resident species include largemouth bass, bluegill, brown bullhead, and carp.

The Creek probably marks the northern extent of blueclaw crab (in abundance), and is occasionally used by marine fishes, such as bluefish, anchovy, silversides, and hogchoker. Freshwater inflows from Fishkill Creek play an important role in maintaining water quality (e.g. salinity gradient) in the Hudson River estuary. The abundant fisheries resources of Fishkill Creek provide significant opportunities for recreational fishing. However, the stream channel is relatively inaccessible, and angling pressure throughout the area is light.

In addition to its importance as a fisheries resource, Fishkill Creek provides feeding habitats for various wildlife species. Locally significant concentrations of herons, waterfowl, furbearers, and turtles, may be found in the area at almost any time of year. Fishkill Creek is reported to be a major crossing point for raptors migrating through the Hudson Valley, along the northern slope of the Hudson Highlands. Although complete data on these bird populations are not available, concentrations of osprey have been observed regularly at Fishkill Creek during spring migration. At least several of these birds appear to be summer residents at Denning Point, and a man-made nesting platform has been constructed on the southern end of the peninsula. This is one of only 3 sites on the Hudson River where researchers are hoping to establish a breeding pair of

these birds. In addition, least bittern has been reported as a probable breeding species in the marshes at the mouth of Fishkill Creek.

The marsh at the mouth of Fishkill Creek has also been designated as a Class I Freshwater Wetland (WT-1) by the New York State Department of Environmental Conservation.

Permitted Recreational Fishing:

The lack of access to the shorefront and the lack of boat access to the water (resulting from the condition of the harbor) combine to limit recreational fishing off Beacon. There is a need for improved access to the water over the railroad tracks, a new boat launching ramp, fishing piers and land areas on the shore front available to anglers.

C. Flood and Erosion Hazards

Flood Hazard Area

Although the Hudson River and Fishkill Creek Flood Hazard Areas are not extensive, there is a need to regulate uses within these areas to protect both lives and property. Of particular concern are flood hazard portions of Long Dock and Denning's Point (both of which have development potential), as well as the Fishkill Creek floodway and adjacent marshy areas. Flood Hazard Areas, as identified by the Federal Emergency Management Agency, are shown on maps adopted in conjunction with the City's "Flood Damage Prevention" law adopted in 1987.

Erosion of Steep Slopes

Much of the City's Waterfront Revitalization Area consists of steeply-sloped wooded hillsides. These slopes, which occur along the waterfront from I-84 to the estuary of the Fishkill Creek, vary in steepness from 15 % to over 25 % and consist of highly erodible soils. Steep slopes also occur along the Fishkill Creek in the estuary of which lies a designated significant fish and wildlife habitat. Low density housing and industrial uses occupy the ridges and the valley floor respectively. Because of these uses, the potential exists for degrading water quality through erosion and industrial run-off, and also for threatening scenic quality and the safety of property. To avoid such occurrences, new development shall, wherever possible, avoid such areas, and no existing vegetation therein shall be disturbed without approved erosion control measures.

D. Public Access

Need to Improve Vehicular Access to the River

The Railroad tracks which parallel the eastern bank of the river have restricted access to the waterfront along much of the river's length. In Beacon, there are two grade separated crossings; one at the Railroad Station, the other at Denning's Point. For the remainder of the City's Hudson riverfront, the area between the tracks and the shore line is narrow and has no direct access.

The bridge at the railroad station is in poor condition and unsafe for heavier vehicles requiring access to the industrial uses on Long Dock. Thus, there is a pressing need to repair or replace this much needed link to the waterfront. Plans are currently on the drawing board as a joint venture between the City of Beacon and New York State to replace this bridge.

Need to Improve Pedestrian Access to the Riverfront

Pedestrian access to the riverfront is difficult because of the barrier created by the railroad tracks. There is one public overpass, by the station, which serves both vehicles and pedestrians. This overpass is almost one-fourth mile south of the main portion of the riverfront park however, and is a poor pedestrian connection to the park in terms of location and vehicular use. The only other access is through the Metro North station's newly created underpass which leads from the parking lot east of the tracks through to the parking lot west of the tracks.

Pedestrian access to the river north and south of the station area is also severely limited by the narrowness of the land between the water and the railroad tracks. Because of the closeness of the railroad tracks to the shore, much of the City's Hudson riverfront is too narrow to permit intensive use of the land. (Denning's Point, Long Dock and Riverfront Park are the only areas large enough for intensive waterfront use.) However, there may be potential for pedestrian walkways and fishing access along the shoreline between Denning's Point and Long Dock, although serious safety issues exist which will have to be overcome.

Ownership Patterns Restrict Waterfront Access

A large portion of Beacon's Hudson River and Fishkill Creek waterfront is in private ownership, with the exception of Riverfront Park and Denning's Point. In addition, one of the two grade separated crossings over the railroad tracks to the River (at Denning's Point) is controlled by OPRHP. Thus, public access to most of the City's waterfront (both Creek and River) is severely hampered. Even those areas where present property owners permit access may eventually be developed, with the possibility of precluding all public access. It is therefore essential that additional public access to the waterfront be established whenever possible.

E. Recreation

Opportunity to Improve and Complete Riverfront Park

The original plan for the Riverfront Park included a second phase involving the construction of a boat ramp and marina facilities between the park peninsula and Long Dock. In addition, there are several existing problems which need to be addressed. These include the lack of restrooms, incidents of vandalism, the use of the parking area as a drag strip at night, garbage dumping and broken park facilities. The storm water outfall near the park has been a constant problem in terms of public safety and aesthetics. Because of the time that has elapsed since Phase I (1977), the Phase II plans will have to be reviewed and updated in order to respond to current recreation needs and desires. This is an opportunity to increase recreation use and improve access to the waterfront, as well as a chance to improve Beacon's harbor.

Lack of Recreational Fishing and Boating Facilities

Recreational fishing and boating facilities in Beacon are limited by the lack of public land and by the deteriorated condition of the harbor. Existing facilities such as the Dutchess Boat Club and the Sloop Club boat ramp are unable to meet the demand for boating facilities. There is a need for marina facilities, including adequate boat launching ramp and parking areas, moorings and slips, and potentially a pier for "dayliner" size boats, to serve both resident and transient boaters. Potential areas for boating

facilities include the waters off Riverfront Park, the harbor, and the waters off Long Dock and Denning's Point.

F. Scenic Quality/Aesthetic Resources

Need to Protect Scenic Vistas

Because of the topography, the scenic views of the river from Beacon are a great asset to the City. To the north, west and south is the Hudson River, while further south are the mountainous Hudson highlands. The Waterfront Revitalization Area has excellent views of both river and mountains, especially from the top of the escarpments above the river. The preservation of the City's scenic vistas should thus be given top priority.

Views from the following positions are significant and need to be protected (Photos within Section BI, Policy 25).

- a. Main Street & Route 9D
- b. Beacon Street & Route 9D
- c. Rombout Avenue & Route 9D
- d. Wolcott Avenue and Route 9D
- e. South Avenue & Route 9D
1. Denning's Avenue at South Avenue
- g. Sargent Avenue at St. Lawrence Seminary
- h. South Avenue Vs mile west of Denning's Avenue
- i. Paye Street
- j. River Street and Beekman Street
- k. Southwest view from Wolcott Avenue 200' west of Bayview Avenue
1. West view from Wolcott Avenue 200' west of Bayview Avenue
- m. Northwst view from Wolcott Avenue 200' west of Bayview Avenue.

Need To Preserve and Restore Historic Properties

The Waterfront Revitalization Area includes an abundance of historic properties. Buildings and structures presently listed on the National Register of Historic Places in the coastal area include Eustatia and the Tioranda Bridge. The Tompkins Street-High Street district is considered to be eligible for the National Register of Historic Places. In addition, numerous individual properties of local significance or deemed to be eligible for the National Register are within the LWRP area. However, some of these properties are in need of rehabilitation. Other properties, such as the Mills on Fishkill Creek, may be too large for economical maintenance, thus resulting in potential preservation problems.

Fishkill Creek

Fishkill Creek is a scenic resource by its own merits. The portion of the Creek which is south of the Wolcott Avenue bridge is within the Waterfront Area. The Fishkill Creek is notable for the mill buildings which line the banks along some stretches, waterfalls (originally dams constructed for the mills), historic bridges and marshes. Many of the bridges, mills and dams are in need of repair. The preservation of the Creek as a scenic resource, the preservation of the historic buildings along it, and the establishment of

public access to the Creek are of prime concern. It is also important to protect the habitat areas at the mouth of the Creek.

Hudson Highlands Scenic Area of Statewide Significance

The scenic quality of part of the City of Beacon's waterfront has been recognized by inclusion in the Hudson Highlands Scenic Area of Statewide Significance (SASS), as designated by the Secretary of State on July 22, 1993. The Hudson Highlands SASS encompasses a twenty mile stretch of the Hudson River and its shorelands and varies in width from approximately 1 to 6 miles. The SASS includes the Hudson River and its east and west shorelands. It extends from its northern boundary, which runs from the northern tip of Scofield Ridge, Denning Point and the base of Storm King Mountain to its southern boundary at Roa Hook and the southern limits of the Bear Mountain State Park. At its northern and southern extremes, the SASS extends across the Hudson River to the mean high tide line on the opposite shoreline.

The Hudson Highlands SASS is of statewide significance by virtue of the combined aesthetic values of landscape character, uniqueness, public accessibility and public recognition. There exist in the SASS unusual variety, as well as unity of major components and striking contrasts between scenic elements. The SASS is generally free of discordant features.

The section of the Hudson Highlands SASS within the City of Beacon is located within the Dutchess Junction subunit (ILH-27). The location is illustrated on the accompanying map. The scenic quality of the Hudson Highlands SASS and the Dutchess Junction subunit are summarized below and discussed in more detail in Appendix B.

The Hudson Highlands SASS is a highly scenic and valued region of the Hudson River Valley, rich in natural beauty, cultural and historical features. It is characterized by a low, rugged topography split by the narrow and deep fjord-like passage of the Hudson River. The shoreline configuration varies from steep cliffs and bluffs to gently sloping banks and low coastal plains. Coves, creeks, wetlands, tidal flats and shallows further shape the shoreline. Dense and mature mixed woodlands on the uplands give way to a combination of woodlands, farmsteads, pastures and meadows and landscaped estates on the lower slopes and lowlands. Many historic estates and large areas of protected open space are to be found throughout the SASS.

The southern extreme of the City of Beacon is included within the Dutchess Junction subunit. This subunit is comprised of the flat and gently sloping shorelands of the Hudson River which give way to the gently rolling hillside below the steep mountains of the Scofield and Breakneck Ridges in the Hudson Highlands State Park subunit. The vegetation is a mix of wetlands, woodlands, meadows and orchards. The shoreline curves gently with a moderate variety of shoreline indentation and elevation. There is one large cove created by Denning Point, a low, wooded, sand peninsula. The Fishkill Creek, which features a short section of rapids, meets the Hudson River at the cove, creating a rich estuary of marsh, tidal flats, and shallows. The subunit offers unobstructed views of the Hudson River and Fishkill Creek. Interior views are limited by vegetation and topography. Views from the Hudson River are of the low, wooded coastal shorelands; the gently rising uplands; Denning Point and the mouth of the Fishkill Creek. These features are set against the dramatic backdrop of the Hudson Highlands. Positive focal points include

Denning Point, Bannerman's Castle on Pollepel Island, and distant views of the Newburgh-Beacon Bridge and Sugarloaf and Storm King Mountains

G. Water Resources

Ownership and Jurisdiction of Underwater Land

The ownership and legal jurisdiction of the underwater land on the Hudson River shorefront is unclear in certain areas. The issues of ownership and jurisdiction must be resolved before significant gains in water dependent uses can be made.

Waterfront Dredging

The siltation occurring in the harbor since the discontinuation of the Beacon- Newburgh Ferry has increasingly restricted harbor use, particularly for large boats (such as the Dayliner) which cannot be docked at Beacon.

Dredging is, therefore, necessary in order to reopen the harbor to larger boats, as well as increase the use of the harbor for smaller boats. Two potential problems which must be resolved are the impact of the dredging on the water habitat and the need for a dredged material deposit site.

Fishkill Creek Pollution

There is a need for stricter monitoring of the effluent from factories and treatment plants along Fishkill Creek. The locations of the source of pollutants in the Creek are largely unidentified and the level of pollutants entering the marsh and the river are unknown, although high levels of contaminants are suspected.

Pollution from Stormwater Runoff

Pollution from stormwater runoff can occur from combined sewer overflows or non-point sources such as parking lots, streets and even the hillsides above the river. The salt storage area near the river may also be a potential pollution hazard, particularly in instances of high water.

H. Environmental Concerns

Of major environmental concern is the management of the City's solid waste. Beacon will utilize the Poughkeepsie Resource Recovery System for garbage and sewage treatment sludge. Currently, and until that time, the City has a contract with a private carter who dumps in a landfill in Orange County, N.Y.

Beacon Landfill

In the late 1960's the City opened the Beacon City landfill on Denning's Road which through the years has been subject to improper coverings and illegal dumping. In 1977 the NYS Department of Environmental Conservation closed the landfill.

The City covered the landfill with clay and soil and the entire area has been reseeded. Five test wells are located on and around the landfill to monitor for leaching toxins.

Sewage Treatment Plant and Incinerator

At this time the sewage treatment plant is in full operating condition. A three year plan to upgrade equipment and operations began in 1985. Each year the City will issue bonds to cover the costs of improvements.

Old City Incinerator

Due to many violations in the burning of City garbage, the NYSDEC has closed the incinerator with no plans to reopen it. At the present time the site is being used by the City as a transfer station by the City for its solid waste recycling program.

In 1989 the incinerator was converted into a recycling and transfer station. Windrow composting of yard wastes covers 1 acre of the 5 acre site.

The building is being rehabilitated and redesigned for the intermediate processing of recyclables and storage of reusable. At present it has been cleared of debris, plumbing and heating have been restored, and loading docks have been built.