

Chautauqua Lake Local Waterfront Revitalization Program

Adopted:

Busti Town Board, March 3, 2008

Chautauqua Town Board, March 10, 2008

Ellery Town Board, April 8, 2010

Ellicott Town Board, May 17, 2010

North Harmony Town Board, November 9, 2009

Village of Bemus Point Board of Trustees, November 16, 2010

Village of Celoron Board of Trustees, June 8, 2009, 2010

Village of Lakewood Board of Trustees, May 24, 2010

Village of Mayville Board of Trustees, March 11, 2008

Approved:

NYS Acting Secretary of State Ruth Noemí Colón, March 16, 2011

This Local Waterfront Revitalization Program (LWRP) has been prepared and approved in accordance with provisions of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42) and its implementing Regulations (19 NYCRR 601). The LWRP was prepared for the New York State Department of State with funds provided under Title 11 of the Environmental Protection Fund Act. The preparation of Local Waterfront Revitalization Programs is administered by the New York State Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Avenue, Suite 1010, Albany, New York 12231-0001.



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Kathleen A. Sullivan
Supervisor
Town of Busti
121 Chautauqua Avenue
Lakewood, NY 14750

Dear Supervisor Sullivan:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

The approved Local Waterfront Revitalization Program will be available on the website of the Department of State, at <http://nyswaterfronts.com/LWRP.asp>. If you have any questions, please contact Kevin Millington of the Office of Coastal, Local Government and Community Sustainability at 518-473-2479.

Sincerely,

Ruth Noemí Colón
Acting Secretary of State



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ANDREW M. CUOMO
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RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Donald D. Emhardt
Supervisor
Town of Chautauqua
2 Academy Street
Mayville, New York 14757

Dear Supervisor Emhardt:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

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ANDREW M. CUOMO
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RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Arden E. Johnson
Supervisor
Town of Ellery
PO Box 429
25 Sunnyside Avenue
Bemus Point, NY 14712

Dear Supervisor Johnson:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

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Sincerely,

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ANDREW M. CUOMO
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RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Sally P Carlson
Supervisor
Town of North Harmony
3445 Old Bridge Road
Stow, NY 14785

Dear Supervisor Carlson:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

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Sincerely,

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ANDREW M. CUOMO
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RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Cecil Miller, III
Supervisor
Town of Ellicot
215 South Work Street
Falconer, NY 14733

Dear Supervisor Miller:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

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Sincerely,

Ruth Noemí Colón
Acting Secretary of State



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ANDREW M. CUOMO
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RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Bryan P. Dahlberg
Mayor
Village of Bemus Point
13 Alburtus Avenue
PO Box 450
Bemus Point, NY 14712

Dear Mayor Dahlberg:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

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Sincerely,

Ruth Noemí Colón
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ANDREW M. CUOMO
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RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable John M. Keeney
Mayor
Village of Celoron
21 Boulevard Avenue
PO Box 577
Celoron, NY 14720-0577

Dear Mayor Kenney:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

The approved Local Waterfront Revitalization Program will be available on the website of the Department of State, at <http://nyswaterfronts.com/LWRP.asp>. If you have any questions, please contact Kevin Millington of the Office of Coastal, Local Government and Community Sustainability at 518-473-2479.

Sincerely,

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ANDREW M. CUOMO
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RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Anthony C. Caprino
Mayor
Village of Lakewood
20 West Summit Street
Lakewood, NY 14750

Dear Mayor Caprino:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

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ANDREW M. CUOMO
GOVERNOR

RUTH NOEMÍ COLÓN
ACTING SECRETARY OF STATE

March 16, 2011

Honorable Martin Bova, Jr.
Mayor
Village of Mayville
PO Box 188
Mayville, NY 14757

Dear Mayor Bova:

I am pleased to inform you that I have approved the Chautauqua Lake Local Waterfront Revitalization Program, involving the nine municipalities around the lake, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

The approved Local Waterfront Revitalization Program will be available on the website of the Department of State, at <http://nyswaterfronts.com/LWRP.asp>. If you have any questions, please contact Kevin Millington of the Office of Coastal, Local Government and Community Sustainability at 518-473-2479.

Sincerely,

Ruth Noemí Colón
Acting Secretary of State

REGULAR MEETING

March 3, 2008

A regular meeting of the Town Board of the Town of Busti was held on March 3, 2008 at 6:45 p.m., at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York, with the following members present:

Deputy Supervisor Paul R. Hazzard
Councilman Lyle T. Hajdu
Councilman Richard a. Sanders
Councilwoman Marsha L. Hem
Supervisor Kathleen A. Sullivan –absent

Deputy Supervisor Hazzard called the meeting to order with the salute to the flag and a moment of silence was observed.

Those present at the meeting were: Highway Superintendent Melvin J. Peterson, Lakewood-Busti Chief John R. Bentley, Attorney Joel H. Seachrist, Zoning Officer Charles Stafford, Tim Young, Tim Wells and Angelo & Diane Terrano.

Attorney John H. Seachrist reviewed the proposed local law adopting waterfront Councilwoman Hem offered the following motion to adopt the Chautauqua Lake Local Waterfront Revitalization Program which was duly seconded by Councilman Hajdu:

WHEREAS, the Towns of Chautauqua, Ellery, Busti, Ellicott and North Harmony and the Villages of Mayville, Bemus Point, Lakewood and Celoron began preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State to potentially affected State, Federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act), filed a Negative Declaration -Notice of Determination of Non-Significance on March 30, 2006 for the preparation of the Local Waterfront Revitalization Program,

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Town of Busti and that the Supervisor is authorized to permit submittal of the Local Waterfront Revitalization Program by the Town of Chautauqua, on behalf of the Town of Busti, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Upon roll call vote, all aye.

Mayville, New York

Regular Meeting

March 10, 2008

Supervisor Donald Emhardt opened the regular meeting with the Pledge of Allegiance.

Motion made by Councilman James Kurtz to open the regular meeting at 7:00 p.m.

Second: Councilman Kenneth Burnett

Vote: All in favor

Carried

**TOWN OF CHAUTAUQUA, NEW YORK
RESOLUTION ADOPTING THE CHAUTAUQUA LAKE
LOCAL WATERFRONT REVITALIZATION PROGRAM**

WHEREAS, the Towns of Chautauqua, Ellery, Busti, Ellicott and North Harmony and the Villages of Mayville, Bemus Point, Lakewood and Celeron began preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State to potentially affected State, Federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act), filed a Negative Declaration - Notice of Determination of Non-Significance on March 30, 2006 for the preparation of the Local Waterfront Revitalization Program,

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Town of Chautauqua and that the Supervisor is authorized to submit the Local Waterfront Revitalization Program on behalf of the Town and the other participating municipalities, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Vote: Supervisor Donald Emhardt – Aye
Councilman Kenneth Burnett – Aye
Councilman Thomas Carlson – Aye
Councilman Dave Ward – Aye
Councilman James Kurtz – Aye

Carried

Town Attorney, Joel Seachrist, stated that the next step of this process would be to adopt a consistency Law, a law that would govern how we review applications that affect the water in our area and confirm that we are determining whether or not it complies. The monologue that Don McCord distributed stated the Planning Board reviews the applications and then issues a recommendation to the Town Board, he will do research and draw up a local law using the Zoning Board of Appeals as the Town's review board for that.

The board had no objections to Mr. Seachrist researching and drafting a local law for that reason.

Town of Ellery

**Resolution of the Town Board
Adopting the Chautauqua Lake
Local Waterfront Revitalization Program**

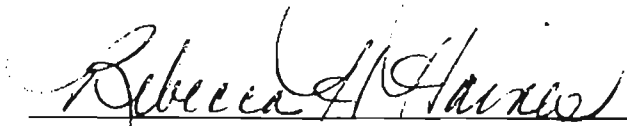
WHEREAS, the Towns of Chautauqua, Ellery, Busti, Ellicott and North Harmony and the Villages of Mayville, Bemus Point, Lakewood and Celoron initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State with potentially affected State, federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, filed a Negative Declaration - Notice of Determination of Non-Significance on March 30, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Town of Ellery and that the Town Supervisor is authorized to permit submittal of the Local Waterfront Revitalization Program by the Town of Chautauqua, on behalf of the Town of Ellery, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

I, Rebecca H. Haines, Town Clerk, Town of Ellery, hereby certify that the above resolution was unanimously adopted at the Town Board Meeting held Thursday, April 8, 2010.


Rebecca H. Haines, MMC/RMC

Town of Ellicott

**Resolution of the Town Board
Adopting the Chautauqua Lake
Local Waterfront Revitalization Program**

WHEREAS, the Towns of Chautauqua, Ellery, Busti, North Harmony and Ellicott and the Villages of Mayville, Bemus Point, Lakewood and Celoron initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State with potentially affected State, federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, filed a Negative Declaration - Notice of Determination of Non-Significance on March 30, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Town of Ellicott and that the Town Supervisor is authorized to permit submittal of the Local Waterfront Revitalization Program by the Town of Chautauqua, on behalf of the Town of Ellicott, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

ADOPTION OF LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

Mrs. Carlson read into the record the LWRP Resolution document.

MOTION #151 OF 2009

ON A MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. THOMAS THE LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) RESOLUTION AS FOLLOWS WAS UNANIMOUSLY APPROVED.

**Town of North Harmony
Resolution of the Town Board
Adopting the Chautauqua Lake
Local Waterfront Revitalization Program**

WHEREAS, the Towns of Chautauqua, Ellery, Busti, Ellicott and North Harmony and the Villages of Mayville, Bemus Point, Lakewood and Celoron initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State with potentially affected State, federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, filed a Negative Declaration -Notice of Determination of Non-Significance on March 30, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Town of North Harmony and that the Town Supervisor is authorized to permit submittal of the Local Waterfront Revitalization Program by the Town of Chautauqua, on behalf of the Town of North Harmony, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Village of Bemus Point

**Resolution of the Village Board of Trustees
Adopting the Chautauqua Lake
Local Waterfront Revitalization Program**

WHEREAS, the Towns of Chautauqua, Ellery, Busti, Ellicott and North Harmony and the Villages of Mayville, Bemus Point, Lakewood and Celoron initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State with potentially affected State, federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, filed a Negative Declaration - Notice of Determination of Non-Significance on March 30, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Village of Bemus Point and that the Mayor is authorized to permit submittal of the Local Waterfront Revitalization Program by the Town of Chautauqua, on behalf of the Village of Bemus Point, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Mayor
John M. Keeney

Clerk/Treasurer
Shirley A. Sanfilippo, MMC

Highway Supervisor
Terry Schreengost

Code Enforcement
Terrilyn LaRosa

VILLAGE OF CELORON

21 Boulevard Avenue, P.O. Box 577
Celoron, New York 14720
Phone: 716/487-4175
Fax: 716/664-6693
E-Mail: celoron@netsync.net

Trustees

Richard P. Kogut
Norman Mattison
Scott Schreengost
Robin A. Young

Attorney

Andrew W. Goodell

Resolution #12-2009-10

Motion by Trustee Mattison, seconded by Trustee Kogut:

WHEREAS, the Towns of Chautauqua, Elery, Busti, Ellicott and North Harmony and the Villages of Mayville, Bemus Point, Lakewood and Celoron initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State with potentially affected State, federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, filed a Negative Declaration - Notice of Determination of Non-Significance on March 30, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act; now therefore, be it

RESOLVED, That the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Village of Celoron and that the Mayor is authorized to permit submittal of the Local Waterfront Revitalization Program by the Town of Chautauqua, on behalf of the Village of Celoron, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

I, Shirley A. Sanfilippo, Clerk-Treasurer of the Village of Celoron, New York, do hereby certify that the above is a true and correct copy of a resolution adopted at a regular meeting of the Board of Trustees of the Village of Celoron, New York on June 8, 2009.


Shirley A. Sanfilippo, Village Clerk-Treasurer

MAY 24, 2010

The fourth regular meeting of the Board of Trustees of the Village of Lakewood, NY, was held Monday, May 24, 2010 at 6:30 PM, with Mayor Anthony C. Caprino presiding. Trustees present were PJ. Wendel and David T. Wordelmann. Also present were Village Clerk Joseph M. Johnson, Deputy Village Treasurer Mary B. Currie, Village Attorney Ward W. Westerberg, Police Chief John R. Bentley, Department of Public Works Supervisor Thomas R. Pilling, Fire Chief Kurt W. Hallberg, and Building Inspector Charles L. Smith. Absent were Trustee Duane F. Anderson, Trustee Joseph M. Troche and Village Treasurer Andrea J. Windoft.

RESOLUTION # 19-2010-2011 -ADOPT CHAUTAUQUA LAKE LOCAL WATERFRONT
REVITALIZATION PROGRAM & WATERFRONT CONSISTANCY REGULATIONS

Motion by Trustee Wendel, seconded by Trustee Wordelmann,

WHEREAS, the Towns of Chautauqua, Ellery, Busti, Ellicott and North Hannony and the Villages of Mayville, Bemus Point, Lakewood and Celoron initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, A Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State with potentially affected State, federal and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, filed a Negative Declaration -Notice of Determination of Non-Significance on March 30, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Village of Lakewood and that the Mayor is authorized to permit submittal of the Local Water Revitalization Program by the Town of Chautauqua, on behalf of the Village of Lakewood, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act, and that the Village of Lakewood also adopt the Waterfront Consistency Regulations.

Adopted: 3 ayes, no nays (Caprino, Wendel, Wordelmann)

VILLAGE OF MAYVILLE - REGULAR BOARD MEETING - 7:00 PM - 3/11/08

Board Present - Mayor Bova; Trustees Roach, Jacobson, Syper.

Board Absent - Trustee Rammacher

Others Present - Charles Kelsey, Village Clerk; Joyce Mathews, Village Treasurer; Ronald Trippy, Fire Chief; William Thompson, Electrical Line Supervisor; Robert Rizzuto, Post Journal; Sara Herrmann, Mayville Sentinel

RESOLUTION: WHEREAS, the Towns of Chautauqua, Ellery, Busti, Ellicott and North Harmony and the Villages of Mayville, Bemus Point, Lakewood and Celoron initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State with potentially affected State, Federal, and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Chautauqua Town Board, as lead agency, filed a Negative Declaration - Notice of Determination of Non-Significance on March 30, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Chautauqua Lake Local Waterfront Revitalization Program is hereby adopted by the Village of Mayville and that the Mayor is authorized to permit submittal of the Local Waterfront Revitalization Program by the Town of Chautauqua, on behalf of the Village of Mayville, to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Introduced by Trustee Roach

Seconded by Trustee Syper

Ayes - Trustees Roach, Syper, Jacobson; Mayor Bova

Nays - None; Trustee Rammacher absent

Local Waterfront Revitalization Committees

Town of Busti

Andrea Rowan Paul R. Hazzard
Wayne Germaine

Town of Chautauqua

Craig Colburn Fritz Overs
Mary Schiller Joel Gaden
Marsha Pritz Don S. Weaver, Sr.
Doug Conroe Roland Hewes

Town of Ellery

Ms. Claire Davis Donald Kayner
Randell Prieur Fletcher Ward
Donald Saar

Town of North Harmony

Albert Brown Marilyn Drayer
Gregory M. Fish John R. Churchill

Village of Bemus Point

Mark Schlemmer Kristen Wright
Brian Dahlberg

Village of Celoron

Arthur Carlson Jay Matteson

Town of Ellicott

Allan D. Hendrickson George Anderson
Thomas Geisler

Village of Lakewood

S. Walter Anderson Dudley Ericson
Joseph Johnson Louis Drago

Village of Mayville

Martin Bova, Jr. Kenneth Shearer
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Introduction and Overview

New York State's Waterfront Revitalization of Coastal Areas and Inland Waterways Act is a unique waterfront tool that encourages a local, home-rule decision-making process for waterfront management. The Local Waterfront Revitalization Program (LWRP) is a comprehensive waterfront management plan developed under the authorization of the Act by local municipalities. The LWRP formulates waterfront development objectives by adopting statewide legislation policies to the unique and individual requirements of each municipality. The LWRP also outlines strategies that are used to meet the municipality's objectives.



The LWRP process involves cooperation with State, County, local, and private agencies, as well as an appointed LWRP local advisory committee that included local planning and municipal board members, and village and town Residents. The LWRP outlines specific projects and policies to encourage environmental protection, foster economic development, protect valuable water resources, and improve public waterfront access. The LWRP ensures that State and local actions proposed within the waterfront area are conducted in a manner consistent with the policies of the LWRP.

One of the components of the LWRP is the identification of long-term uses and specific projects along the waterfront related lands. These uses and projects, in conjunction with an established management program, can significantly increase a community's ability to attract and manage development activities that complement the unique cultural and natural characteristics of its waterfront.

An LWRP approved by the New York State Secretary of State provides a community with the local controls to guide waterfront development. More importantly, a distinct benefit of the LWRP is the legal ability to ensure that all actions proposed for its waterfront only occur in a fashion prescribed by the LWRP. This “consistency” provision is a strong tool that assures that State and local government works in unison, and not at cross purposes, to build a stronger economy and healthier waterfront environment.

The Villages of Celoron, Lakewood, Mayville, and Bemus Point and the Towns of Ellicott, Busti, North Harmony, Chautauqua, and Ellery are located within Chautauqua County, New York, in the Southern Tier. Like many communities in this area, these communities have suffered economically since the collapse of the Industrial Revolution. Manufacturing employment, traditionally supplying family sustaining jobs, has steadily declined since the 1950’s, when industrial employment meant jobs for 28,000 of the County’s 135,000 people. In 1975 industrial employment had declined to 17,000 and continued to decline, slipping to significantly under 14,000 by 1996. This decline, coupled with the decline of the agricultural economy, has significantly affected and impacted communities and the region. Numerous factors contributed to these downturns including the decrease in manufacturing throughout the northeast and Midwest and the decline in smaller family farms across the nation.

The Chautauqua Lake communities were first studied on a collective basis in 1970 as part of a regional planning effort for the Urban Area Planning Board of Southern Chautauqua County. The purpose of this comprehensive study was to examine the existing and future redevelopment potential of the region and the Lake’s importance to the success of the region as a residential, commercial, industrial and recreational area. This first plan generated many extraordinary visions for the lake region. Included among these conceptual designs were the development of an outer circumferential route system that would alleviate traffic congestion along NYS Routes 394 and 430; the construction of a Route 60 bypass through Celoron; development of a regional park in the Mayville area; planned unit developments in both the Hartfield and Ellicott areas; a year round recreational center at Tom’s Point and a southern shore overlook. In addition, this regional plan emphasized long-term intermunicipal cooperation that would enable the Chautauqua Lake communities to complement each other’s efforts and develop a strong regional identity.

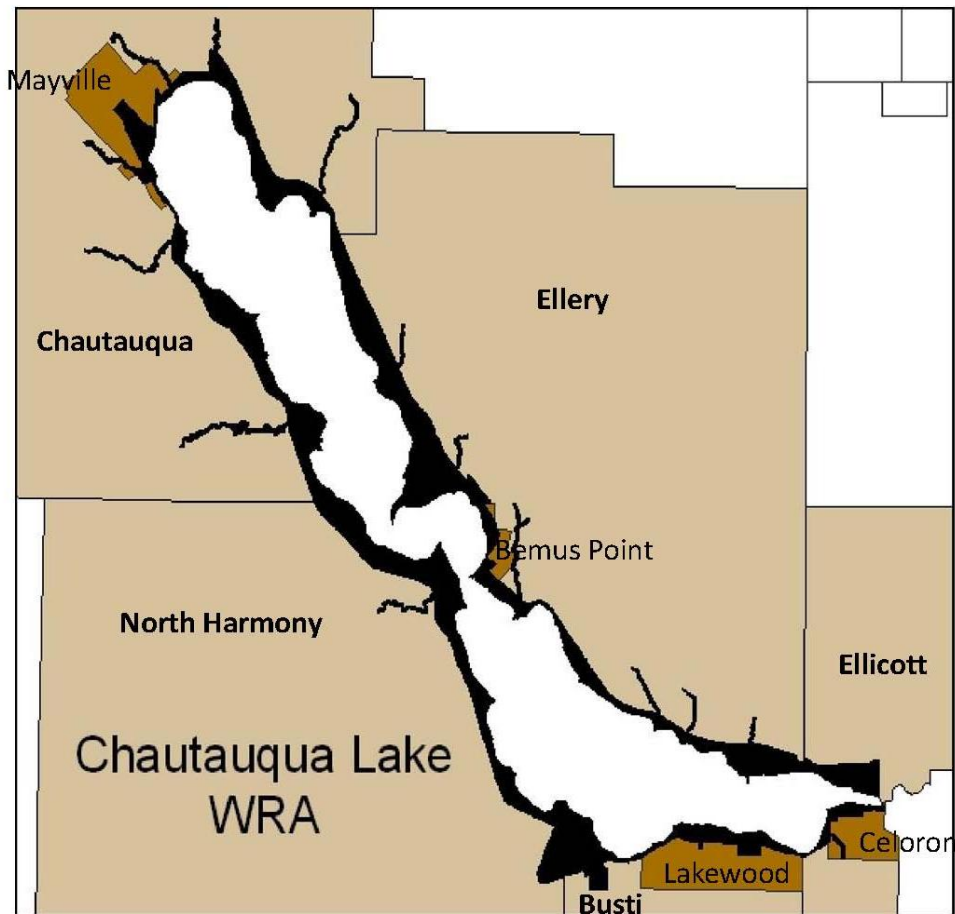
More recent planning efforts include *Chautauqua Lake – Entering the 21st Century: State of the Lake Report*, completed in May of 2000; and *The Management of Chautauqua Lake and Its Watershed*, completed in November of 2000. Unfortunately, limited community cooperation and comprehensive planning efforts throughout the 1970’s, 1980’s and 1990’s has done little to establish the basis for implementation of these plans or to stimulate the growth within the lake region. With economic concerns facing and impacting the lake communities a reexamination of the development and redevelopment opportunities necessary to strengthen the local economy is essential to the region’s future.

In an effort to address general development concerns and identify new economic opportunities around Chautauqua Lake, the nine communities surrounding the lake completed this Local Waterfront

Revitalization Program (LWRP). This step built upon the past planning efforts and identified new opportunities and concerns. The LWRP is beneficial for local communities because it:

- Provides a clear vision for waterfront development for Chautauqua Lake.
- Formulates policies and projects that will effectively manage and guide development along the waterfront and in areas to be impacted by waterfront development.
- Refines State policies related to waterfront development, and apply them to the Chautauqua Lake region.

Section I. Waterfront Revitalization Area Boundary



Village of Celoron

The Village of Celoron Waterfront Revitalization Area (WRA) is composed of the following described areas within the Village. The first boundary area consists of all that area of the Village of Celoron situated north of the following described line (see [Village of Celoron WRA Map](#)). Beginning at a point on the southern shoreline of Chautauqua Lake and its intersection with the eastern boundary of the Village of Celoron; thence south along the eastern Village boundary to its intersection with the centerline of Boulevard Street (County Road 67); thence west along the centerline of Boulevard Street to its intersection with the centerline of Waverly Avenue; thence south along the centerline of Waverly Avenue to its intersection with the centerline of Duquesne Street; thence west along the centerline of Duquesne Street to its intersection with the centerline of Allegheny Avenue; thence south along the centerline of Allegheny Avenue to its intersection with the centerline of Livingston Avenue; thence west

along the centerline of Livingston Avenue and its extension to its intersection with the shoreline of Chautauqua Lake, this being the end point of the described line.

The above described boundary area also includes the following 200 feet wide creek corridor along School Creek that lies within the Village of Celoron. The centerline of the creek is also the centerline of the 200 feet wide creek corridor. It should be noted that the creek corridor boundary width limits is parallel to the centerline of the creek. The 200 feet wide School Creek corridor begins at its intersection with the western Village boundary and follows School Creek in a southerly direction to its intersection with the southern Village boundary. The southern Village boundary is the ending limit for the 200 feet wide School Creek corridor.

Town of Ellicott

The Town of Ellicott Waterfront Revitalization Area (WRA) is composed of the following described areas within the Town (see [Town of Ellicott WRA Map](#)). The first boundary consists of all that area of the Town adjacent to the southern shoreline of Chautauqua Lake and situated west and north of the following described line. Beginning at a point on the southern shoreline of Chautauqua Lake and its intersection with the extended centerline of Livingston Avenue; thence east along the extended centerline and centerline of Livingston Avenue to its intersection with the western boundary of the Village of Celoron; thence south along the western Village boundary to its intersection with the southern right-of-way of Lakewood Boulevard (County Road 110); thence westerly along the southern right-of-way of Lakewood Boulevard to its intersection with the eastern boundary of the Village of Lakewood; thence north along the eastern Village boundary to its intersection with the southern shoreline of Chautauqua Lake, this being the end point of the described line for the first boundary area.

The second boundary consists of all that area of the Town adjacent to the northern shoreline of Chautauqua Lake and situated south of the following described line. Beginning at a point on the northern shoreline of Chautauqua Lake and its intersection with the western boundary of the Town of Ellicott; thence north along the western Town boundary to its intersection with the northern right-of-way of State Route 430; thence easterly along the northern right-of-way of State Route 430 to its intersection with the extended eastern boundary of the Ellicott tax parcel known as Section 18 Block 1 Lot 6; thence south along the extended and eastern boundary lines of Ellicott tax parcels known as Section 18 Block 1 Lots 6 and 11 to its intersection with the northern shoreline of Chautauqua Lake, this being the end point of the described line for the second boundary area.

Village of Lakewood

The Village of Lakewood Waterfront Revitalization Area (WRA) is composed of all that area of the Village situated north of the following described line (see [Village of Lakewood WRA Map](#)). Beginning at a point on the southern shoreline of Chautauqua Lake and its intersection with the eastern boundary of the Village of Lakewood; thence south along the eastern Village boundary to its intersection with the southern right-of-way of Summit Avenue; thence westerly along the southern right-of-way of Summit Avenue to its intersection with the extended centerline of Teddy Avenue; thence south along the

extended centerline of Teddy Avenue to its intersection with the northern boundary of the existing railroad tax parcel known as Section 109 Block 1 Lot 1; thence west along the northern boundary of the railroad tax parcel known as Section 109 Block 1 Lot 1 to its intersection with the extended centerline of Oakland Avenue; thence north along the extended and existing centerline of Oakland Avenue to its intersection with the southern right-of-way of Summit Avenue; thence westerly along the southern right-of-way of Summit Avenue to its intersection with the extended eastern boundary line of the Village tax parcel known as Section 102 Block 31 Lot 1, said point being approximately 140 feet east of the centerline of Chautauqua Avenue; thence south continuously along the extended and existing eastern boundary lines of the Village tax parcels known as Section 102 Block 31 Lots 1, 28, 27, 26 and Section 102 Block 33 Lots 1, 31, 30, 29 and lot 29's eastern boundary extension to its intersection with the centerline of Second Street, said point being approximately 140 feet east of the centerline of Chautauqua Avenue; thence west along the centerline of Second Street to its intersection with the extended western boundary line of the Village tax parcel known as Section 102 Block 32 Lot 20, said point being approximately 140 feet west of the centerline of Chautauqua Avenue; thence north continuously along the extended and existing western boundary lines of the Village tax parcels known as Section 102 Block 32 Lots 20, 19, 18, 17, 16 and Section 102 Block 30 Lots 19, 17, 16, 15, 14 and lot 14's western boundary extension to its intersection with the southern right-of-way of Summit Avenue, said point being approximately 140 feet west of the centerline of Chautauqua Avenue; thence westerly along the southern right-of-way of Summit Avenue to its intersection with the western boundary of the Village of Lakewood; thence north along the western Village boundary to its intersection with the southern shoreline of Chautauqua Lake, this being the end point of the described line.

Town of Busti

The Town of Busti Waterfront Revitalization Area (WRA) is composed of all that area of the Town situated north of the following described line (see [Town of Busti WRA Map](#)). Beginning at a point on the shoreline of Chautauqua Lake and its intersection with the western boundary of the Village of Lakewood; thence south along the western Village boundary to its intersection with the southern right-of-way of Summit Avenue; thence westerly along the southern right-of-way of Summit Avenue and its extension to its intersection with the southern right-of-way of State Route 394; thence westerly along the southern right-of-way of State Route 394 to its intersection with the southern right-of-way of State Route 474; thence southwesterly along the southern right-of-way of State Route 474 to its intersection with the eastern boundary of Tax Map Section 19; thence southerly and continuously along the eastern boundary of Tax Map Section 19 to its intersection with the southern boundary of Tax Map Section 19; thence west along the southern boundary of Tax Map Section 19 to its intersection with the western boundary of Tax Map Section 19; thence northerly and continuously along the western boundary of Tax Map Section 19 to its intersection with the southern right-of-way of State Route 474; thence southwesterly along the southern right-of-way of State Route 474 to its intersection with the western boundary of the Town of Busti; thence north along the western Town boundary to its intersection with the shoreline of Chautauqua Lake, this being the end point of the described line.

Town of North Harmony

The Town of North Harmony Waterfront Revitalization Area (WRA) is composed of all that area of the Town situated north and east of the following described line (see [Town of North Harmony WRA Map](#)). Beginning at a point on the shoreline of Chautauqua Lake and its intersection with the eastern boundary of the Town of North Harmony; thence south along the eastern Town boundary to its intersection with the southern right-of-way of State Route 474; thence southwesterly along the southern right-of-way of State Route 474 to its intersection with the centerline of County Route 43; thence northerly along the centerline of County Route 43 to its intersection with the centerline of Fardink Road; thence northerly along the centerline of Fardink Road to its intersection with the southwestern right-of-way of State Route 394; thence northwesterly along the southwestern and western right-of-way of State Route 394 to its intersection with the northern boundary of the Town of North Harmony; thence east along the northern Town boundary to its intersection with the shoreline of Chautauqua Lake, this being the end point of the described line.

The above described boundary also includes the following 200 feet wide creek corridor along Ball Creek. The centerline of Ball Creek also is the centerline of the 200 feet wide creek corridor. It should be noted that the creek corridor boundary width limits is parallel to the centerline of the creek. The Ball Creek corridor begins at its intersection with the western right-of-way of State Route 394 and follows the creek westerly to its intersection with the centerline of Carpenter Pringles Road. The centerline of Carpenter Pringles Road is the ending limit for the Ball Creek corridor.

Town of Chautauqua

The Town of Chautauqua Waterfront Revitalization Area (WRA) is composed of the following described areas (see [Town of Chautauqua WRA Map](#)). The first boundary area consists of all that area of the Town situated east of the following described line. Beginning at a point on the western shoreline of Chautauqua Lake and its intersection with the southern boundary of the Town of Chautauqua; thence west along the southern Town boundary to its intersection with the western right-of-way of State Route 394; thence northwesterly along the western right-of-way of State Route 394 to its intersection with the southern boundary of the Village of Mayville; thence northeasterly along the southern Village boundary to its intersection with the shoreline of Chautauqua Lake, this being the end point of the first described line.

The second boundary area consists of all that area of the Town situated south of the following described line. Beginning at a point on the northern shoreline of Chautauqua Lake and its intersection with the eastern boundary of the Village of Mayville; thence northwesterly along the eastern Village boundary to its intersection with the centerline of Whallon Street Extension; thence westerly along the centerline of Whallon Street Extension to its intersection with the centerline of Mill Road; thence northerly along the centerline of Mill Road to its intersection with the eastern right-of-way of State Route 430; thence southeasterly along the eastern right-of-way of State Route 430 to its intersection with the northern boundary of the Town of Ellery; thence west along the northern Town boundary to its intersection with the eastern shoreline of Chautauqua Lake, this being the end point of the second described line.

The above described boundaries also include the following 200 feet wide creek corridors. The centerline of each identified creek is also the centerline of its described 200 feet wide creek corridor. It should be noted that the creek corridor boundary width limits is parallel to the centerline of its identified creek. The 200 feet wide Prendergast Creek corridor begins at its intersection with the western right-of-way of State Route 394 and follows Prendergast Creek in a westerly direction to its intersection with the southern right-of-way of Webber Road. The southern right-of-way of Webber Road is the ending limit for the 200 feet wide Prendergast Creek corridor. The 200 feet wide Clear Creek corridor begins at its intersection with the western right-of-way of State Route 394 and follows Clear Creek in a westerly direction to its intersection with the western right-of-way of Morris Road (County Route 25).

The western right-of-way of Morris Road (County Route 25) is the ending limit for the 200 feet wide Clear Creek corridor. The 200 feet wide Mud Creek corridor consists of the following described areas. The first area consists of a portion of the 200 feet wide Mud Creek corridor that is situated northeasterly of Meadow Lane and southerly of the Village of Mayville boundary. The second area of the 200 feet wide Mud Creek corridor begins at its intersection with the western boundary of Tax Map Section 113 (Village of Mayville) and follows Mud Creek in a westerly direction to its intersection with the western right-of-way State Route 430. The western right-of-way State Route 430 is the ending limit for the 200 feet wide Mud Creek corridor. The 200 feet wide Little Inlet creek corridor begins at its intersection with the southeastern boundary of the Village of Mayville and follows Little Inlet creek in a northwesterly direction to its intersection with the northwestern boundary of Tax Map Section 11 (Town of Chautauqua). The northwestern boundary of Tax Map Section 11 (Town of Chautauqua) is the ending limit for the 200 feet wide Little Inlet creek corridor.

(Please note that the Village of Mayville Waterfront Revitalization Area boundary description contains portions of the 200 feet wide creek corridors for Mud Creek and Little Inlet creek that are situated within the Village.) The 200 feet wide Big Inlet creek corridor begins at its intersection with the northern right-of-way of State Route 430 and follows Big Inlet creek in a northerly direction to its intersection with the northern boundary of Tax Map Section 40 (Town of Chautauqua). The northern boundary of Tax Map Section 40 (Town of Chautauqua) is the ending limit for the 200 feet wide Big Inlet creek corridor. The 200 feet wide Dewittville Creek corridor begins at its intersection with the northeastern right-of-way of State Route 430 and follows Dewittville Creek in a northerly direction to its intersection with the northwestern right-of-way of Meadows Road. The northwestern right-of-way of Meadows Road is the ending limit for the 200 feet wide Dewittville Creek corridor.

Village of Mayville

The Village of Mayville Waterfront Revitalization Area (WRA) is composed of the following described area (see [Village of Mayville WRA Map](#)). The boundary area consist of all that area of the Village situated easterly of the following described line. Beginning at a point on the western shoreline of Chautauqua Lake and its intersection with the southeastern boundary of the Village of Mayville; thence southwesterly along the said Village boundary to its intersection with the southern right- of-way of State Route 394; thence northwesterly along the southern right-of-way of State Route 394 to its intersection with the eastern boundary of the Mayville tax parcel known as Section 111 Block 3 Lot 1.2.1; thence

southerly along the eastern boundary line of the Mayville tax parcel known as Section 111 Block 3 Lot 1.2.1 to its intersection with the centerline of Mud Creek; thence westerly along the centerline of Mud Creek to its intersection with the western boundary of the Mayville tax parcel known as Section 111 Block 3 Lot 1.1; thence northerly and continuously along the western boundary of the Mayville tax parcel known as Section 111 Block 3 Lot 1.1 to its intersection with the western boundary of the Mayville tax parcel known as Section 111 Block 3 Lot 1.2.1; thence northerly and continuously along the western boundary of the Mayville tax parcel known as Section 111 Block 3 Lot 1.2.1 to its intersection with the extended western right-of-way of Valley Street; thence northwesterly along the extended and existing western right-of-way of Valley Street to its intersection with the northwestern right-of-way of State Route 430; thence northeasterly along the northwestern right-of-way of State Route 430 to its intersection with the extended centerline of Elm Street; thence southeasterly along the extended and existing centerline of Elm Street to its intersection with the centerline of Lakeview Avenue; thence northerly along the centerline of Lakeview Avenue to its intersection with the centerline of Sea Lion Drive (formerly Whallon Street); thence northeasterly along the centerline of Sea Lion Drive to its intersection with the extended western boundary of the Mayville tax parcel known as Section 102 Block 3 Lot 1.3; thence north along the extended and western boundary of the Mayville tax parcel known as Section 102 Block 3 Lot 1.3 to its intersection with the northern boundary of the same Mayville tax parcel (102-3-1.3); thence northeasterly along the northern boundary of the Mayville tax parcel known as Section 102 Block 3 Lot 1.3 to its intersection with the eastern boundary of the same Mayville tax parcel (102-3-1.3); thence southeasterly along the eastern boundary and its extension of the Mayville tax parcel known as Section 102 Block 3 Lot 1.3 to its intersection with the centerline of Sea Lion Drive; thence northeasterly along the centerline of Sea Lion Drive to its intersection with the boundary of the Village of Mayville; thence southeasterly along this same Village boundary to its intersection with the northern shoreline of Chautauqua Lake, this being the end point of the described line.

The above described boundary area also includes the following 200 feet wide creek corridors along Mud Creek and Little Inlet. The centerline of a creek is also the centerline of its 200 feet wide creek corridor. It should be noted that the creek corridor boundary width limits is parallel to the centerline of the creek. The 200 feet wide Mud Creek corridor begins at its intersection with the western right-of-way of State Route 394 and follows Mud Creek northwesterly to its intersection with the Village boundary located approximately 1056 feet northwesterly of the centerline of Morris Street. This same Village boundary is the ending limit for the 200 feet wide Mud Creek corridor within the Village of Mayville. The 200 feet wide Little Inlet creek corridor begins at its intersection with the centerline of Sea Lion Drive and follows Little Inlet northwesterly to its intersection with the Village boundary located west of Honeysette Road. This same Village boundary is the ending limit for the 200 feet wide Little Inlet creek corridor within the Village of Mayville. (Please note that the Town of Chautauqua Waterfront Revitalization Area boundary description contains portions of the 200 feet wide creek corridors for Mud Creek and Little Inlet creek that are situated within the Town.)

Town of Ellery

The Town of Ellery Waterfront Revitalization Area (WRA) is composed of the following described areas (see [Town of Ellery WRA Map](#)). The first boundary area consists of all that area of the Town situated west of the following described line. Beginning at a point on the eastern shoreline of Chautauqua Lake and its intersection with the northern boundary of the Town of Ellery; thence east along the northern Town boundary to its intersection with the northeastern right-of-way of State Route 430; thence southeasterly along the northeastern right-of-way of State Route 430 to its intersection with the northern boundary of the Village of Bemus Point; thence west along the northern Village boundary to its intersection with the eastern shoreline of Chautauqua Lake, this being the end point of the first described line.

The above described boundary area also includes the following 200 feet wide creek corridors along Maple Springs (Whiteside) Creek and an unnamed creek located approximately 350 feet southeasterly along the centerline of State Route 430 as measured from the centerline of Long Point Road. For the purpose of referencing this unnamed creek in the following description, it will be referred to as Willow Brook, which is also the name of the area it flows through south of State Route 430. The centerline of each creek is also the centerline of its 200 feet wide creek corridor. It should also be noted that the creek corridor boundary width limits is parallel to the centerline of the creek. The 200 feet wide Maple Springs Creek corridor begins at its intersection with the northeastern right-of-way of State Route 430 and follows Maple Springs Creek northerly to its intersection with the centerline of Weaver Road. The centerline of Weaver Road is the ending limit for the 200 feet wide Maple Springs Creek corridor. The 200 feet wide Willow Brook creek corridor begins at its intersection with the northeastern right-of-way of State Route 430 and follows Willow Brook northerly to its intersection with the centerline of Bayview Road. The centerline of Bayview Road is the ending limit for the 200 feet wide Willow Brook creek corridor.

The second boundary area consists of all that area of the Town situated west and south of the following described line. Beginning at a point on the eastern shoreline of Chautauqua Lake and its intersection with the southern boundary of the Village of Bemus Point; thence northeasterly along the southern Village boundary to its intersection with the northeastern right-of-way of Main Street (County Road 128); thence southeasterly along the northeastern right-of-way of Main Street (County Road 128) to its intersection with the northeastern right-of-way of State Route 430; thence southeasterly along the northeastern right-of-way of State Route 430 to its intersection with the extended western boundary line of the Town of Ellery tax parcel known as Section 44, Block 1, Lot 2.6; thence south along the extended and existing western boundary line of said tax parcel (44-1-2.6) to its intersection with the southern boundary line of this same tax parcel (44-1-2.6); thence easterly along the southern boundary line of said tax parcel (44-1-2.6) and its extension to its intersection with the eastern boundary of the Town of Ellery; thence south along the eastern Town boundary to its intersection with the shoreline of Chautauqua Lake, this being the end point of the second described line.

The above described second boundary area also includes the following described 200 feet wide creek corridors along Bemus Creek and Browns Creek, Bellevue Creek, Driftwood Creek, and Dutch Hollow

Creek. The centerline of a creek is also the centerline of its 200 feet wide creek corridor. It should be noted that the creek corridor boundary width limits is parallel to the centerline of the creek. The 200 feet wide Bemus Creek and Browns Creek corridor begins where the Bemus Creek corridor intersects the northeastern right-of-way of Main Street (County Road 128) and follows Bemus Creek northerly to its intersection with Browns Creek; thence the creek corridor continues north along Browns Creek to its intersection with the centerline of Brown Road. The centerline of Brown Road is the ending limit for the 200 feet wide Bemus Creek and Browns Creek corridor. (It should be noted that approximately 1200 linear feet of Bemus Creek flows through a portion of the Village of Bemus Point and the portion of the 200 feet wide creek corridor that is located within the Village boundary is a part of the Bemus Point Waterfront Revitalization Area). The 200 feet wide Bellevue Creek corridor begins at its intersection with the northeastern right-of-way of State Route 430 and shall follow Bellevue Creek northwesterly to its intersection with the northern right-of-way boundary of Interstate 86 (Southern Tier Expressway). The northern right-of-way boundary of Interstate 86 is the ending limit for the 200 feet wide Bellevue Creek corridor. The 200 feet wide Driftwood Creek corridor begins at its intersection with the northeastern right-of-way of State Route 430 and follows Driftwood Creek northerly to its intersection with the northern right-of-way boundary of Interstate 86 (Southern Tier Expressway). The northern right-of-way boundary of Interstate 86 is the ending limit for the 200 feet wide Driftwood Creek corridor. The 200 feet wide Dutch Hollow Creek corridor begins at its intersection with the northeastern right-of-way of State Route 430 and follows Dutch Hollow Creek northerly to its intersection with the northern right-of-way boundary of Interstate 86 (Southern Tier Expressway). The northern right-of-way boundary of Interstate 86 is the ending limit for the 200 feet wide Dutch Hollow Creek corridor.

Village of Bemus Point

The [Village of Bemus Point Waterfront Revitalization Area \(WRA\)](#) is composed of the following described area. The boundary consists of all that area of the Village situated west of the following described line. Beginning at a point on the eastern shoreline of Chautauqua Lake and its intersection with the northern boundary of the Village of Bemus Point; thence east along the northern Village boundary to its intersection with the southwestern right-of-way boundary of State Route 430 / Southern Tier Expressway (I-86) Extension; thence southerly along this same southwestern right-of-way to its intersection with the western right-of-way of Center Street (County Route 44); thence perpendicularly crossing the centerline of Center Street (County Route 44) in a southeasterly direction to its intersection with the eastern right-of-way of Center Street (County Route 44); thence southwesterly along the eastern right-of-way of Center Street (County Route 44) to its intersection with the eastern right-of-way of Lakeside Drive; thence southwesterly along the eastern right-of-way of Lakeside Drive to its intersection with the centerline of Liberty Street; thence southeasterly along the centerline of Liberty Street to its intersection with the centerline of Sunnyside Avenue; thence southwesterly along the centerline of Sunnyside Avenue to its intersection with the northeastern right-of-way of Main Street (County Road 128); thence southeasterly along the northeastern right-of-way of Main Street (County Road 128) to its intersection with the southern boundary of the Village of Bemus Point; thence southwesterly along the southern Village boundary to its intersection with the shoreline of Chautauqua Lake, this being the end point of the described line.

The above described boundary area also includes the following Village of Bemus Point portion of a 200 feet wide creek corridor along Bemus Creek. The centerline of the creek is also the centerline of its 200 feet wide creek corridor. It should be noted that the creek corridor boundary width limits is parallel to the centerline of Bemus Creek. This portion of the 200 feet wide Bemus Creek corridor begins at its intersection with the southern boundary of the Village of Bemus Point and follows Bemus Creek northerly to its intersection with the northern Village boundary. The northern Village boundary is the ending limit for the Village portion of the 200 feet wide Bemus Creek corridor. (Please note that the Town of Ellery Waterfront Revitalization Area boundary description contains portions of the 200 feet wide Bemus Creek corridor that are situated in the Town.)

Section II. Inventory and Analysis

A. Regional Setting, History and Community Characteristics

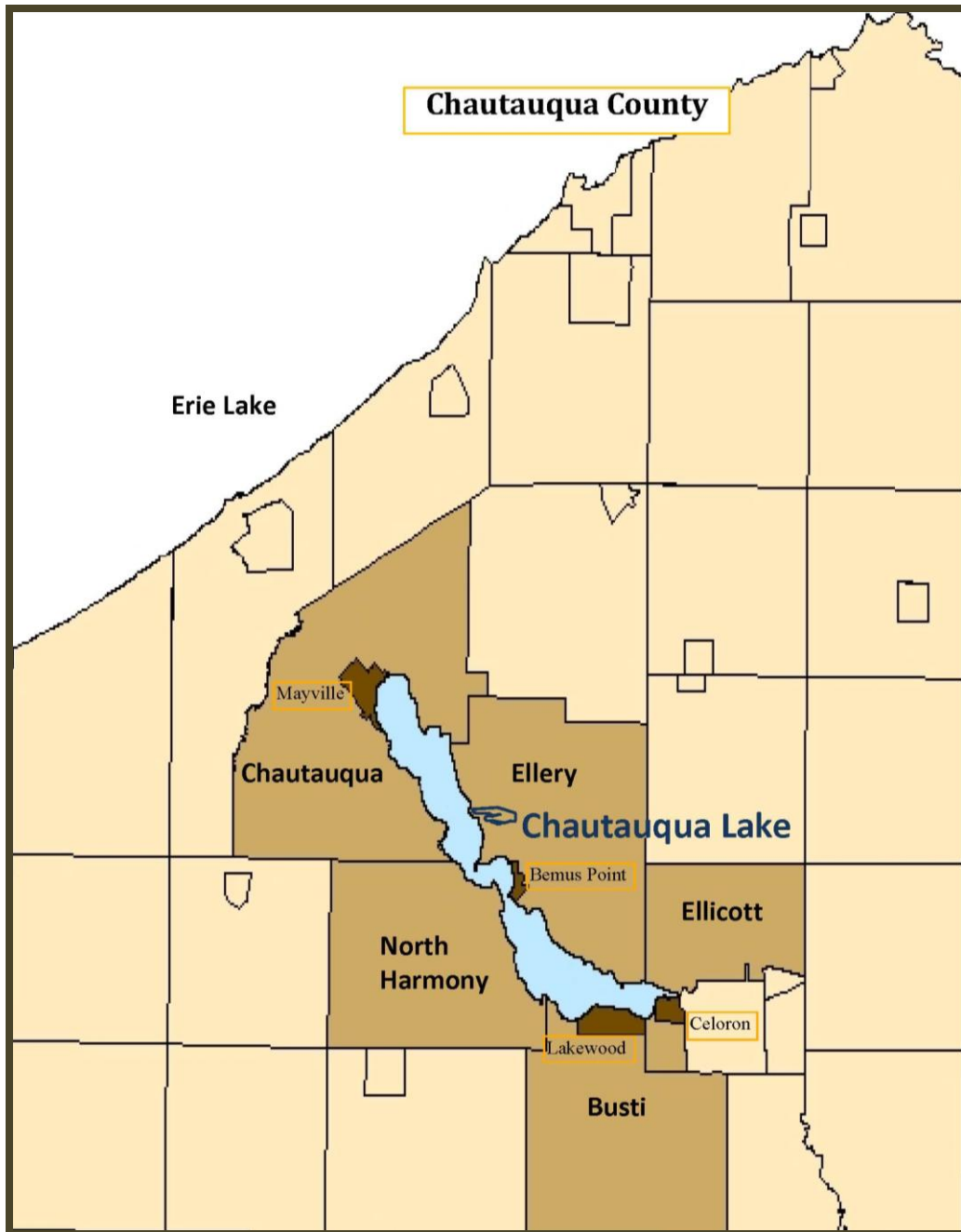
The Villages of Mayville, Bemus Point, Celoron and Lakewood and the Towns of Chautauqua, Ellery, Ellicott, Busti and North Harmony are situated along the shoreline of Chautauqua Lake, in central Chautauqua County, at the southwest corner of New York State. These communities share 42 miles of contiguous waterfront surrounding Chautauqua Lake in its entirety. Chautauqua Lake is comprised of two distinct basins, north and south, and covers an area of approximately 20 square miles at an elevation of 1308 feet above mean sea level. The Village of Mayville and Town of Chautauqua shorelines encompass a large portion of the north basin. The Village of Bemus Point and Towns of Ellery and North Harmony have waterfront to the north and south of the center of the lake at the “narrows.” The Villages of Celoron and Lakewood and the Towns of Busti and Ellicott are located at the southeastern end of Chautauqua Lake in the south basin. Chautauqua Lake’s watershed, part of the larger Ohio River Basin, covers approximately 180 square miles of area. Water flows from Chautauqua Lake and its tributaries sequentially into the Chadakoin River, the Conewango Creek, and the Allegheny, Ohio, and Mississippi Rivers and then into the Gulf of Mexico.

Chautauqua County’s topography varies from flatlands along the Lake Erie shore to the rolling upland foothills of the Allegheny Mountains, in the southeastern portion of the County. Having only the cities of Dunkirk and Jamestown within its boundaries, Chautauqua County is decidedly rural. Small Villages scattered throughout the county provide a backdrop for Chautauqua’s expanding tourist industry. The county is recognized for the outstanding recreational opportunities that exist within its boundaries, such as hiking and canoeing on the County’s public land and creek trail system; boating and fishing on Lakes Erie, Chautauqua, Findley and Cassadaga; skiing, snowmobiling and golf. Regionally, Chautauqua County is situated approximately 30 miles southwest of Buffalo, New York; 25 miles east of Erie, Pennsylvania; and 150 miles north of Pittsburgh, Pennsylvania. Many other major northeast population centers are located within less than a half-day drive.

The first incursion of white Europeans into Chautauqua County was by the French. In 1615, Samuel de Champlain had reached as far west on the Great Lakes as Lake Huron. There, he learned of rich lands southeast of Lake Erie where a tribe (called Eries by their allies in the Seneca nation) of Native Americans lived. Later that year, Champlain’s interpreter, Etienne Brule, guided by a party of twelve Hurons, traversed the wilderness of Western New York to visit the Eries. Longstanding political and territorial hostility between the Eries and the tribes of the Iroquoian League erupted in warfare around 1656 and ended with the decimation of the Eries.

It was not until 1679 that another white European would again set foot in Chautauqua County. Frenchman René-Robert Cavelier, Sieur de La Salle, landed at Barcelona seeking a navigable route from the Great Lakes to the Gulf of Mexico through the Ohio and Mississippi Rivers. LaSalle and his men

forged a portage several miles upland over the Chautauqua escarpment and found their way to “a little lake six or seven miles south of Lake Erie, the mouth of which opens southeastward.”



This was most certainly Chautauqua Lake which native inhabitants, according to folklore, had named “sack tied in the middle” for its shape where the lake narrows between Stow and Bemus Point. LaSalle was probably the first white man to see Chautauqua Lake, and the first to discover a navigable route to the Gulf of Mexico. LaSalle’s discovery served as the basis for Chautauqua Lake’s prominence as an important link for travel and shipping of goods.

Captain Bienville de Celoron was dispatched to America in 1749 to claim this region for France. With a contingent of soldiers, Celoron landed at Barcelona to mark and claim the territory along the navigable route to the Gulf of Mexico, which was discovered by LaSalle approximately sixty years earlier. Celoron and his contingent of 214 French and 55 Iroquois followed LaSalle's maps leaving leadened plates along the way as he traveled to mark the King's claim.

Eighteenth century settlement of the Chautauqua region lagged behind the eastern portions of the state as settlers were dissuaded, in part, by fear toward indigenous peoples of the region. By the 1790's, settlers from Connecticut and other New England states were heading for the Western Reserve through Chautauqua County. In 1796, the Holland Land Company, a conglomerate of six Dutch banking houses, purchased a large tract of land in Western New York that included the lands of Chautauqua County. While the intent of the plan was to sell large parcels to wealthy landowners, instead small plots were sold on liberal terms to farmers of little means. The hardships of settling in this physically daunting area had prompted wealthier investors to move further west to present-day Ohio, where less labor-intensive land could be purchased for cash.

During the early 19th century, Chautauqua County was the leading edge of the western frontier and population growth was slow, in part due to the War of 1812. A scant 300 residents lived in the county at the outbreak of the War of 1812, but the number swelled to 15,322 by 1820. During the first half of the 19th century, lumber and agriculture were the primary industries of the county and this was exemplified by the export of 40,000,000 board feet of lumber in one year. The first steamship sailed on Chautauqua Lake in 1828 carrying goods to Jamestown to be transported down the Allegheny River to Pittsburgh and beyond. The introduction of steamships to the Lake vastly improved the speed at which goods could be shipped from Chautauqua County into growing markets.

Chautauqua County's place in the industrialized economy was assured in 1851 when the New York and Erie Railroad was completed to Chautauqua County with its terminus at Dunkirk. In 1860, establishment of the Atlantic & Great Western Railroad from Salamanca to the Pennsylvania state line connected the County's southern most communities, including some along Chautauqua Lake. The railroads provided an opportunity for increased shipping of freight and passengers along with opportunities for stimulating new enterprises. In 1872 Jamestown resident William Broadhead returned from his native England to develop a large worsted mill operation on the banks of the Chadakoin River in Jamestown. This same period also saw a tremendous growth in furniture manufacturing. Between 1870 and 1930, the population of Jamestown grew from 5,000 to 45,000. Much of this growth was spurred by the emigration of skilled manufacturing laborers from Sweden and Italy.

The County's current economy is based on agriculture, tourism, and manufacturing. As noted in *Chautauqua County 1995: A General Plan* (Chautauqua County Planning Department, 1978), Chautauqua County experienced a steady downward trend in manufacturing employment between 1952 and 1975 when the County lost over 50% of its 25,800 manufacturing jobs. Currently, manufacturing employment is experiencing a modest upswing. However, the modest growth in the County's economy in the 1990s did not follow national trends of record growth. The Chautauqua Lake communities vary in size and

economic vitality and all have been affected by the shift in the county's economy. As these communities enter the new century, many see tourism as the key to growth.

Village of Celoron

The Village of Celoron lies at the end of Chautauqua Lake on the southern shore where the Lake empties into the Chadakoin River. The Village, with a total area of 476 acres and a waterfront approximately eight tenths of a mile long, is almost twice the size of Bemus Point, the smallest Village among the Chautauqua Lake communities. While only 198 acres larger than Bemus Point in geographic area, Celoron's population of 1,295 is almost four times greater. The current population, although reflective of an increase of 5.1 % or 63 people between the 1990 Census and the 2000 Census, is substantially lower than the 1,555 residents recorded in the 1950 decennial census. The southern boundary of the Village is just north of NYS Route 394. Celoron is bordered on its northern edge by Boulevard Street (County Route 67), which parallels the shore of Chautauqua Lake and the Chadakoin River, providing easy access from Jamestown. School Creek, a small tributary to Chautauqua Lake, runs through moderately populated residential areas in the southern portion of the Village and empties into the lake at a point between Melford and Leslie Streets next to Longview Avenue.

The Holiday Harbor Marina and Carlson's Boat Livery are situated between the shoreline and Boulevard Street near the Village's border with the City of Jamestown. The Village of Celoron maintains the Lucille Ball Memorial Park and a public boat launch. Both are situated along the shoreline adjacent to the commercial district near the intersection of Dunham and Boulevard Streets. The community consists primarily of residential units with a limited number of small manufacturers located along the WNY&P Railroad in the center of the Village. Celoron is also home to the "Summer Wind", Chautauqua Lake's only full service tour boat.

Town of Ellicott

The Town of Ellicott, with a total land area of 18,440 acres, is unique in its divisions created by Chautauqua Lake and the City of Jamestown's borders. These borders completely divide the southern half of the Township. Burtis Bay, one of Ellicott's three waterfront residential clusters, lies between the Villages of Celoron and Lakewood along approximately one mile of the southern shoreline. Elmhurst and Bonita, Ellicott's other waterfront residential clusters, are located between the borders of the City of Jamestown and the Town of Ellery along 2.2 miles of the northern shoreline. The Town has a population of 5,445, which reflects a decrease of 2.2% from the 1990 Census. Ellicott is easily accessible from I-86, NYS 394, NYS 430 and NYS 60, the major traffic corridors. School Creek, the only identified Chautauqua Lake tributary in the Town, passes through Ellicott briefly on the western side of Celoron. A tract of protected wetlands is located along the northern shoreline east of Bonita and serves as habitat for wildlife. The Town of Ellicott maintains a lakefront park on the east end of Burtis Bay with waterfront access, a pavilion, picnic tables, and parking.

Chautauqua County's Jamestown Airport is located north of the City of Jamestown in the Town of Ellicott and provides general aviation services and commuter flights connecting with major airports. The Airport Hill and Joseph Mason Industrial Parks are accessible from Route 60 and the Allen Street

Extension, respectively. The parks have prime industrial land available for new businesses and have recently completed infrastructure improvements. The area in West Ellicott along Fairmont Avenue (Route 394) has developed into a significant regional retail destination featuring local retailers along with national and regional chains, such as Sam's Club, Home Depot, Super K-Mart, and Wegman's.

Village of Lakewood

The Village of Lakewood is situated just west of Burtis Bay along the southern shore of the southeastern portion of Chautauqua Lake within the Town of Busti. The Village, with approximately three miles of waterfront and a total acreage of 1,259 acres is comparable to Mayville in size geographically. Lakewood's population of 3,258 is the largest population of any of the Villages within the lake communities. Its population, however, reflects a decrease of 8.6% (306 people) from the 1990 Census. The number of homes converted from year-round residences to seasonal and commercial units may explain, in part, the decline in population. The 1980 Census recorded 12 homes as seasonal or 0.7% of the community's housing stock while the 2000 Census recorded 114 homes as seasonal with 6.6% of the community's housing stock. The Village is dissected by NYS Route 394 and Summit Avenue (County Route 110), which parallel each other. Both routes travel in an east/west direction and provide easy access to all parts of the community. There are several small tributary streams that flow into the lake within the Village of Lakewood. The primary stream within the Village is Crescent Creek. Another tributary is the Brook Street Brook and a third is the canal on the Lakewood Rod and Gun Club property. Lakewood is primarily a bedroom residential community. The Village has recently revitalized the downtown central business district along Chautauqua Avenue with upgraded roads, sidewalks, park areas and a clock tower. The central business district is directly tied to the lakefront by pedestrian and vehicular access along Chautauqua Avenue, which has small businesses that serve the residents and tourists. Hartley Park; a public park with a swimming beach, bathhouse, tennis courts and a playground, is situated at the foot of Chautauqua Avenue and provides an open space connection to the lake for residents and tourists alike. Fairmount Avenue (NYS Route 394), within the Village of Lakewood, has developed into the primary commercial area of southern Chautauqua County with local and national retailers and restaurants established along the retail strip. Lakewood is the home to the Chautauqua Lake Yacht Club, the only sailing club with its own formal facility on Chautauqua Lake.

Town of Busti

The Town of Busti is located along the southern edge of Chautauqua Lake between the Towns of North Harmony and Ellicott and encompasses the Village of Lakewood. With a population of approximately 4,500 and acreage of 29,339, it is comparable in both population and size to the Town of Ellery. The Township's waterfront, which is one of the smallest of the Lake communities at approximately one-mile of shoreline, is easily accessible from NYS Routes 394 and 474. The remainder of the Town relies on a series of County highways serving as the primary transportation routes for access. Goose Creek meanders along the border between Busti and North Harmony and flows under NYS Route 394 before emptying into Chautauqua Lake just east of Ashville Bay.

The Town of Busti, with assistance from the Chautauqua County Industrial Development Agency, has recently upgraded the General George Stoneman Business Park to provide ample acreage and infrastructure for new industrial development.

The Vukote Canal, a residential lakeside development, is located at the western edge of the Town's waterfront. Smith Boys Marina and a small commercial strip of retail shops are located on NYS Route 394 adjacent to the Vukote area. Busti's Community Park at Vukote Canal and the Busti Wetland Preserve along NYS Route 474 are both open space opportunities for residents. Busti, although, primarily rural residential, does have a modest amount of industry. Most notably, Busti is home to the Cummins Engine Company, an international producer of diesel engines and one of the region's largest manufacturing employers.

Town of North Harmony

The Town of North Harmony is situated between the Town of Chautauqua's border at Magnolia Road and the Town of Busti along the western shore of Chautauqua Lake. North Harmony, with a population of 2,521 (an increase of 9.6% from the 1990 Census), and an area of 27,016 acres, is slightly smaller geographically than the Town of Ellery. North Harmony is one of only two lakeside communities that have had consistent growth in its population recorded in every census since 1950. NYS Route 394 provides north/south access near the lakeshore and I-86 provides east/west access through the Town. Ball Creek, a feeder creek to Chautauqua Lake, winds through upland farms and timber before crossing under I-86 and NYS Route 394 to empty into Chautauqua Lake near Stow. Goose Creek passes through Ashville, going under NYS Route 474 and meanders along the North Harmony and Busti border before flowing under NYS Route 394 into Chautauqua Lake east of Ashville Bay in North Harmony. Tom's Point, a State-designated wetland preserve, is also located adjacent to Stow.

North Harmony is primarily rural residential with several clusters of lakeside residential along its shoreline. Ashville Bay Marina and a limited cluster of commercial businesses located in Stow are the primary lake related businesses within the Town. Ashville, located near North Harmony's southeastern edge, serves as a small center for outfitters who utilize Goose Creek as a staging area for excursions. Stow is located at the "narrows" between the north and south basins of the Lake. Stow is a terminus for the Bemus Point-Stow Ferry, which has, until recently, operated as a tourist attraction during the summer season between Stow and Bemus Point.

Town of Chautauqua

The Town of Chautauqua surrounds the northwestern end of Chautauqua Lake with approximately six and one-half miles of shoreline along the southwestern shore and four miles along the northeastern shore. Chautauqua, excluding the Village of Mayville, covers roughly 41,855 acres. Geographically it is the largest of the Chautauqua Lake communities. Although Chautauqua is the largest of the Towns surrounding Chautauqua Lake, Chautauqua's population of 2,910 is smaller than the Town's of Ellicott, Ellery or Busti. The Town's primary access roads, NYS Routes 394 and 430, run parallel to the lakeshore as well as running north and south through the Town. These primary routes provide easy accessibility to the Lake and are a link to nearby I-90 and I-86. Several primary feeder creeks and small tributaries to

Chautauqua Lake flow through the Town. Big Inlet Creek, one of the largest feeders, flows through the Hartfield area and into the lake at its most northern point. Big Inlet originates in a significant wetland above Elm Flat Road near the Chautauqua escarpment south of Lake Erie. Prendergast Creek, the second largest feeder creek, parallels the Town's southern border and enters the southwest side of the lake next to the New York State Fish Hatchery. Prendergast Creek, as it winds through forests and along agricultural fields, is utilized as a local trout creek by anglers. Dewittville Creek, the remaining feeder creek within the Township, originates in the Town of Stockton and flows south through Dewittville entering the lake at the northeastern shoreline near Chautauqua's border with Ellery. Another notable small tributary within Chautauqua is Clear Creek at Lighthouse Point.

The Town is primarily rural with a large portion of the land area consisting of vacant or active agricultural lands. The largest population densities in the Town occur near the lakeshore in the residential areas of Hartfield, Point Chautauqua, Prendergast Point, Lighthouse Point, Dewittville and Chautauqua Institution. Snug Harbor Marina, located south of Prendergast Point on the western shoreline, is the only commercial marina outside the Village of Mayville still within the Town. The Town's commercial concentration, which is tourism oriented, consists of restaurants, a grocery store, plant nurseries, roadside stands, and art galleries, located along NYS Route 394 between Snug Harbor Marina and the southwestern border of Mayville. The remainder of the Town's shore area is lined with lakeside residential clusters, cottages, camps, golf courses and condominium complexes.

Chautauqua Institution, a world-renowned education and cultural community, is a major part of Chautauqua's tourism trade. Chautauqua Institution includes many second homes and serves as the primary draw to many tourists visiting the Town. The Institution began in 1874 as an open-air summer school for Sunday-school teachers and offers a range of cultural, religious and recreational programs to both residents and visitors. These programs are offered in the setting of a lakeside community reflecting many forms of traditional and modified architecture, now designated as a National Historic District and a National Historic Landmark.

The Institution's properties occupy an area of about 800 acres, which includes the lakeside community, an adjacent golf course, and other nearby lands. The peak activity occurs during the nine week summer season. As many as 10,000 residents and visitors may occupy the Institution grounds on a given summer day. The Institution, since its origin, has developed into a year-round conference and retreat center. It is estimated that the Institution attracts 180,000 visitors annually and is the primary or secondary determinant of approximately \$55 million in direct annual spending in Chautauqua County (Nichols, 1991).

Village of Mayville

The Village of Mayville is located at the head of Chautauqua Lake. With a total area of 1,242 acres and a waterfront approximately two miles long, geographically it is comparable in size to Lakewood. Mayville's population of 1,756 reflects an increase of 7.3% since the 1990 Census. Mayville is one of only two lakeside communities that have had consistent growth in population recorded in every census since 1950. Mayville is dissected by NYS Routes 394 and 430, which provide ease of access from both sides of

the lake and from I-90 in nearby Westfield. Mayville has two feeder creeks, Mud Creek and Little Inlet Creek. They enter Chautauqua Lake at opposite ends of the Village. Mud Creek, which originates near Beaujean Road in Chautauqua, winds along the Village's western boundary until heading east after passing under the abandoned rail bed. Mud Creek then travels in an easterly direction, passing under NYS Route 394, and enters Chautauqua Lake next to the Chautauqua Marina south of Mayville Park. Little Inlet Creek enters Mayville near its northeastern border parallel to Honeysette Road, and then travels under NYS Route 430 and Sea Lion Drive before flowing into Chautauqua Lake west of Creative Marina.

Mayville consists primarily of single-family residential units located in the southern portion of the Village. The principal commercial district that serves the residents is located in the center of the Village along South Erie Street (NYS Route 394). The shoreline segment of South Erie Street (NYS Route 394) contains a second commercial area, which is primarily tourism oriented, including restaurants, lodging facilities, recreational vehicle sales, the Chautauqua Marina and the base for the steamship the "Chautauqua Belle."

The Village of Mayville maintains the Mayville Village Park, which offers a public boat launch, tennis courts, bathhouse, and bathing beach. The Village park and the adjacent Village shoreline is the largest public area along Chautauqua Lake owned by a local municipality. Mayville is the county seat of Chautauqua County and home of the County Jail and Office Complex.

Town of Ellery

The Town of Ellery is located along the northeastern edge of Chautauqua Lake between the Towns of Chautauqua and Ellicott and encompasses the Village of Bemus Point. With a population of 4,236 and acreage of 30,211 acres, it is comparable in population and size to the Town of Busti. Ellery has approximately eight and one-half miles of waterfront, which is the second largest waterfront area of any of the lake communities. The Town is easily accessible with NYS Route 430 traveling north and south along the lake and I-86 providing east/west access.

Ellery contains several feeder creeks and tributaries, all originating within the Town in the uplands above Chautauqua Lake. Maple Springs, Bemus, Belleview and Dutch Hollow Creeks are the most notable of these. Maple Springs Creek passes under NYS Route 430 south of Midway Park and travels through the residential segment of Maple Springs before entering Chautauqua Lake at Lakeside Promenade. Bemus Creek, which is joined by Brown Creek northeast of Bemus Point, travels under I-86 passing for a short distance through the southern tip of the Village of Bemus Point and under NYS Route 430 before flowing into Chautauqua Lake south of the I-86 Bridge near Shore Acres. Dutch Hollow Creek parallels the eastern border of Ellery flowing under I-86 and NYS Route 430 just west of Dutch Hollow Road before emptying into Chautauqua Lake at Greenhurst.

The Town of Ellery has a rural residential character with lakeside residential clusters. The most significant of these are Maple Springs, Sunset Bay, Oriental Park, Shore Acres and Greenhurst. Ellery's uplands consist of agricultural or vacant agricultural lands. The Town's economy is based on tourism. Maple Springs, one of two commercial areas in the Town, is home to Midway Amusement Park, a

convenience store, a tavern, a bed-and-breakfast, a tourist residence, and some restaurants located along NYS Route 430. Shore Acres Marina, the only marina solely within Ellery's borders is located along NYS Route 430 just east of Bemus Point. The Town's other commercial area is located near the newly built Town Park in Greenhurst and consists of a restaurant, laundromat, and tavern. The Town of Ellery is best known for its recreational opportunities and views from its steep shoreline.

Village of Bemus Point

The Village of Bemus Point is the smallest of the Lake communities, with 278 acres and approximately 340 year-round residents. Located along the eastern shoreline with a mile and a half of shoreline at the "narrows" in the center of the Lake and just southeast of Long Point State Park, the Village offers outstanding recreational opportunities. Bemus Point is easily accessible from the north or south by NYS Route 430, which runs through Bemus Point, and from an east/west direction from the I-86 interchanges at Bemus Point.

Bemus Point is predominately a residential community with a well-established commercial district. The Village's tourist oriented commercial district primarily lies along NYS Route 430. The district consists of the L&S Marine, a Village park, a Village beach, gift shops, the "Casino" an amusement arcade, a DEC boat launch and picnic area, several restaurants, two churches and a golf course. Included in the commercial district also are a bed-and-breakfast residence and the "Hotel Lenhart", one of two surviving grand hotels on Chautauqua Lake.

Bemus Point has gained the reputation as "the place to be" by locals and visitors alike. The community, although small, has an established nightlife, Sunday concerts, planned events such as the "Bemus Pops" and Fireman's 10K race, and a public section of shoreline that is famous locally for its vistas at sunset. Bemus Point is also home to the Bemus Point-Stow Ferry, which until recently, was one of the oldest operating ferries in the United States.

B. History of Chautauqua Lake

Chautauqua Lake lies in the geographic center of Chautauqua County in southwestern New York State and is oriented in a northwest- southeast direction. The lake is approximately 17 miles in length with a maximum width of just over 2 miles. The lake is divided into two distinct basins separated by the Narrows between the Village of Bemus Point and Stow.

The Lake lies in the north portion of the Allegheny Plateau, south of, and elevated above the Lake Erie plain. While precipitation into the Chautauqua Lake watershed drains to the Gulf of Mexico, precipitation immediately north of the watershed drains to the North Atlantic via the Great Lakes – St. Lawrence system.

The Lake formed when the edge of the last Ice Age glacier retreated northward from the New York – Pennsylvania border region. As the glacier edge melted northward the edge paused at what is now Jamestown, depositing vast amounts of soil. The resulting soil mound and the solid rock underneath formed a natural dam at the south end of the lake.



The outlet stream of the lake, the Chadakoin River, eventually breached the natural dam created by the glacier. The streambed of the Chadakoin River, composed of natural solid rock, keeps the outlet shallow. The inability of the river to cut through this rock prevents the draining of Chautauqua Lake and severely limits the ability to control water levels in the lake. Warner Dam is a man-made dam located in the City of Jamestown. It lies downstream from the natural rock barrier in the bed of the Chadakoin River and acts as a partial water level control while the river rock acts as the primary control. Lake flood-problems were noted as early as 1811; lake level control was first discussed in 1823. Lakeshore flood insurance programs were begun in 1969 and the modern use of Warner Dam in Jamestown to partially control lake levels began in 1976. Warner Dam was originally built in 1919 and was wholly rebuilt in 1979.

As the glacier melted and its edge retreated farther northward, it paused again and deposited another mound of soil in the Bemus Point – Stow region that created the north basin. Peripheral streams that drained the glacier in the north basin removed much of the sedimentation that might have been deposited on the southern edge of the glacier retreat. This drainage, which did not occur in the south basin, accounts for the difference in water depth and quality between the north and south basins. This glacial debris partly separates the basins.

The glacial edge paused once again just north of Mayville depositing several layers of glacial soil. This glacial debris, which prevents the Lake from draining northward into Lake Erie, forces it to drain southward into the Allegheny – Ohio – Mississippi River system and ultimately to the Gulf of Mexico.

The two basins are approximately 10 square miles each with a combined watershed covering an area of approximately 180 square miles. The south basin averages a depth of only 11 feet and is considered

eutrophic (An eutrophic lake is one that typically has a phosphorus content of above 0.026 mg/L and a water transparency less than 6 feet, factors that relate to high organic productivity).



The north basin averages 26 feet in depth and is considered mesotrophic. (Mesotrophic lakes usually have phosphorus contents ranging between 0.010 and 0.026 mg/L and transparencies between 6 to 15 feet). Phosphorus content is emphasized in discussions of lakes because it has often been the critical nutrient that controls growth of algae and other functional aspects of lakes.

Mesotrophic and eutrophic lakes tend to be very productive lakes, supporting large quantities of organic life, both plant and animal. Chautauqua Lake is the ninth most productive warm-water fishery in New York State. Chautauqua Lake has high concentrations of aquatic vegetation, sometimes at nuisance levels.

Considering the aboriginal settlement patterns of North America, the Chautauqua Lake region was most likely inhabited by ancient cultures between 10,000 and 12,000 years ago. There is no evidence that pre-Columbian cultures had any significant enduring impact on Chautauqua Lake.

Perhaps the first appreciable impacts on the lake occurred long after early European explorers had considered the lake a link in the trading route connecting the Great Lakes and Mississippi River drainages. These first ecological impacts were deforestation of the watershed feeding the lake and over-fishing. It is likely that the watershed was almost completely deforested as early as 1840 from timber harvesting. Agricultural acreage within the lake watershed was greatest from about 1880 to 1920. Net fishing ended in the 1840s; ice fishing was limited beginning in 1852. Accessibility to the Lake was influenced greatly by the arrival of railroads. Rail transportation had reached Brocton in the 1850s and Jamestown by 1860. The rail lines brought seasonal tourists looking for water recreation. Steam boating, prominent on the Lake from 1860 – 1930, reached peak popularity between 1880 and 1905

when twenty-one commercial steamers sailed the Lake waters. Then, rail transport became available along the eastern shore in 1888 leading to an eventual decline in steamer ridership. Ice harvesting to provide household and commercial refrigeration in Buffalo was an important winter industry until 1895. Thus, the latter half of the 1800s spanned an era of access and development of the Lake and lakeshore. During this period, several grand hotels were built around the Lake, two of which still stand today, The Athenaeum at Chautauqua Institution, and The Lenhart at Bemus Point.

From the earliest days, sewage was routinely discharged directly into the lake. In 1965 Town control of waste disposal moved to county jurisdiction. In the mid 1970s, two-thirds of the holdings on the periphery of the Lake had septic systems that were replaced by sewage treatment plant connections. This led to intensive development of the limited shoreline remaining. Today, only 11.6% of the lake's remaining shoreline is in a natural undeveloped state. Private residences, cottages, and condominium communities occupy the majority of the shoreline.

The 2000 Census counted 139,750 full-time residents in Chautauqua County. In the spring, summer and fall months, a number of seasonal residents, primarily from Ohio and Pennsylvania, converge on the County. It would be safe to assume that the population probably increased by 8,000 to 10,000 during this period, there is no valid means of determining the actual numbers.

C. Existing Land Use and Water Uses

The existing land use within the Waterfront Revitalization Area (WRA) is presented by community. Primary attention is given to uses within the WRA. Land uses that may have significant impacts on the WRA, but are outside the defined WRA, are described. Each of the communities exhibits unique land use patterns, presenting various opportunities and constraints. A preliminary analysis of these opportunities and constraints are identified for each community. Additional information regarding land and water use, and proposed projects can be found in Section IV.

Village of Celoron

The main business district in the Village of Celoron is located along Boulevard Street and consists of typical commercial businesses as well as Lake-related businesses. From the Jamestown City line traveling west into the Village to Venice Street, all the properties located between Boulevard and the Chadakoin River (the Chautauqua Lake outlet) are shoreline commercial properties. This area contains Holiday Harbor Marina, Carlson Boat Livery, and a number of other commercial properties. The commercial area on the south side of Boulevard Street begins at Waverly Avenue and continues west to Dunham then south on Dunham to Duquesne Street. This area is considered the Village's central business district with the Celoron Village Offices, the post office, a restaurant, a gift shop, the local Moose Club and an antique shop.

There are three areas in the Village that are primarily industrial, all of which are located adjacent to portions of the Western New York & Pennsylvania Railroad (WNY&P), which divides the Village. The rail

line had been dormant since the early 1990s. However, the WNY&P, a short line operator in Jamestown, reactivated the railroad line in 2001.



The most significant industrial area is located on the north and south sides of Livingston Avenue, south of the WNY&P tracks starting at the Jamestown City Line then continuing west to the WNY&P track crossing at Livingston Avenue on the north side to the Allen H. Miller property. This area contains the former V&N Construction building, the former Penn-Empire Transport terminal, Signature Seal Coating, Brigotta Farms Greenhouse, Superior Paving, an auto body repair shop, and a bus company garage. A significant portion of this area is unusable due to adverse topography. The Chautauqua Lake South and Center Wastewater Treatment Plant are located adjacent to Boulevard Street at the Jamestown City line.

The largest concentration of single and multi-family residential properties is located south of the Boulevard Street commercial zones and north of the WNY&P rail line east of the Jackson Avenue, continuing eastward to the Jamestown City Line. The majority of this area consists of single-family structures. Along the south side of Livingston Avenue, east of Metcalf Avenue and at the foot of Jackson Avenue, there is a significant amount of undeveloped property. Of this undeveloped property, the majority is zoned multi-family, and could be developed. On the north side of Boulevard Street, where it meets Dunham Ave., Celoron maintains the Lucille Ball Memorial Park. The park serves as the central recreation area for the community and includes a boat launch, a baseball field, a pavilion, fishing access, and a community center. The community has recently constructed a lighthouse adjacent to the park, which now acts as a focal point for the area. The “Summer Wind” cruise and dinner ship, a private enterprise, is also moored adjacent to the park.

At the point where Dunham Avenue going north extends to the lake, on the west side of Dunham Ave., there is large vacant parcel (7.7A) owned by Northwest Mutual Savings. This parcel, along with the

Marine Park Apartments parcel, was once the site of the Celoron Amusement Park and ballroom prior to the early 1950's.



The site was an important recreation destination for the tri-state area, and is currently zoned for multiple residences but could be developed for recreational purposes. The parcel contains a breakwall along the whole Lake edge and offers one of the most extensive views of Chautauqua Lake.

See, [Village of Celoron and Town of Ellicott Existing Land Use Map](#).

Opportunities

- Create downtown revitalization plan to develop commercial area into a destination for tourist and county residents.
- Improve “Lucille Ball Memorial Park.” Enhance park amenities and restore historic character.
- Develop vacant “Celoron Amusement Park” parcel through private means or public private partnership. Development could complement the historic character of Celoron, the community’s commercial area, and open space.
- Create a gateway for the community and waterfront along Dunham Avenue.

Constraints

- “Celoron Amusement Park” site is privately owned and controlled. Currently, it is zoned multi-family residential.
- The downtown area needs streetscape improvements to improve aesthetic appeal.
- Parking in downtown may be limited.
- Development plan needs to address potential conflicts between varying user groups (i.e. Park users, boaters and tourist).

- Zoning boundaries of “commercial district” and uses need to be evaluated. District may need to be expanded to provide adequate space for development and parking.

Town of Ellicott

The Town of Ellicott surrounds the City of Jamestown and encompasses the Villages of Falconer and Celoron. The Town is home to the Mason Industrial Park, the Chautauqua County Airport and a prominent commercial area in West Ellicott. Ellicott has shoreline on both the north and south sides of Chautauqua Lake (see [map](#)). On the south side of the lake, within the WRA, starting at the Celoron Village line going west are residential homes along Burtis Bay. On the eastern side of Burtis Bay the Town maintains Burtis Bay Park, which contains a baseball field, open space, and shore access to the lake.



The unincorporated area known as Fluvanna starting at Townline Road is bounded on the north side of the lake by NYS Route 430 east to the I-86 Interchange at Strunk Road. It encompasses the area south of NYS Route 430 to the north shoreline of the Lake. Fluvanna includes the communities of Elmhurst and Bonita. Both are a mix of single and multi-family housing units used both seasonally and year-round. This residential area also contains a limited commercial mix with the Apple Inn and Gaylene’s jewelry repair and the Bridal Shoppe.

The Fluvanna commercial district is defined by a line traveling east from the Strunk Road I-86 Interchange along NYS Route 430 to a point created by an imaginary perpendicular line extending across the Chadakoin River to coincide with Celoron’s eastern boundary and encompasses the areas south of NYS Route 430 and north of the Chadakoin River. This area contains the Fountain Bowl Bowling Alley, a trucking terminal, a self-storage facility, and a tire shop/garage. Large wetland tracts separate these

commercial areas along Route 430 from the Chadakoin River. The Chautauqua Watershed Conservancy owns 23 acres of these wetlands. See [Village of Celoron and Town of Ellicott Existing Land Use Map](#).

Opportunities

- Develop abandoned rail line east of Bonita into a nature preserve area. The railroad bed crosses wetland tracts and connects to City of Jamestown.
- Link the City of Jamestown “River Walk” with wetland areas.
- Develop Burtis Bay Park. Complete components of master plan.
- Encourage development of winter activities related to the Lake.

Constraints

- Ownership of wetland tracts.
- Completion of Jamestown’s “River Walk” project.
- Burtis Bay’s natural collection tendencies at shoreline.

Village of Lakewood

The Village of Lakewood is primarily single-family residential in character with both year-round and seasonal homes. A small portion of the community is multi-family and contains units such as the old Packard Estate, which has been turned into condominiums.



Lakewood is home to two commercial districts. The Lakewood “Retail Business” district runs from Terrace Street south to the railroad track along Chautauqua Avenue on both east and west sides and is the community’s central business district. The area is primarily retail and includes gift shops, bed-and-breakfasts, tourist residences, ice cream and luncheon shops, and a variety of service businesses such as a barber shop and a bank. The main commercial district runs along the northern and southern edge of

NYS Route 394. This district is comprised of the Chautauqua Mall, banks, grocery stores, and multiple service and retail outlets. This area, which runs the full length of the community, is southern Chautauqua County's commercial shopping area.

There are two industrial areas in the Village. They are both near the railroad tracks just to the north of Fairmount Avenue, on Chautauqua Avenue and Winchester Road, respectively. These industrial districts are home to Matco Tools on Chautauqua Avenue and Lexington Die Casting on Winchester Road.

Lakewood contains many public and quasi-public recreational facilities, most of which are within the WRA. The Village of Lakewood owns and maintains three recreational areas. The most notable of these areas is the Richard Hartley Park at the foot of Chautauqua Avenue. The park serves as a major draw to the community's downtown area offering a beach with a lifeguard, tennis and basketball courts, a gazebo, picnic areas, bathhouse and a playground. Lakewood has plans to further upgrade the park by extending the beach area and creating a handicapped accessible overlook. Lakeside Community Park, located along Terrace Street near the Town of Ellicott border, and Lowe Park, located near the Village's western edge along Summit Avenue, are the other recreational areas; Lakeside Community Park has a boat launch, a picnic pavilion, and boat-trailer parking.



Quasi-public facilities in Lakewood are owned by numerous organizations and are open to their members and guests. The following is a list of those facilities and their location: 1) the Lakewood Rod & Gun Club has its own lakefront, clubhouse and picnic pavilion. On the pavilion parcel is one of several streams entering Chautauqua Lake along Lakewood's shoreline, called the Canal; 2) the veterans maintain a small Veterans Park on the lakeside with picnic facilities at the point where Terrace Street meets Summit Avenue; 3) the YWCA owns the YA WA CA Lodge, located on Terrace Avenue (lakeside), and operates the facility as a day camp and banquet hall; 4) further east on Summit Avenue the Lakewood Volunteer Fire Department maintains the Lakewood Fire Volunteers Training and Recreation Grounds; 5) the Michael LaGrega Memorial Park located on Summit Avenue provides a baseball field

and two tennis courts; and 6) the Chautauqua Lake Yacht Club maintains a sailing club on the lakefront. See [Village of Lakewood Existing Land Use Map](#).

Opportunities

- Complete Chautauqua Avenue area revitalization efforts. Improve signage and streetscape amenities – in which \$1.8 million has been invested to date.
- Create public docking to allow visitors to access downtown and the Hartley Park area from the Lake.
- Create a park in the center of the downtown area as open space to enhance streetscape and provide pedestrian amenities.
- Enlarge the beach area for additional swimming capacity
- Create Crescent Overlook in Hartley Park to improve utilization.
- Upgrade Community Park to allow for uses that complement Hartley Park
- Implement walking tour program to encourage tourism.

Constraints

- Funding

Town of Busti

The Town of Busti is primarily rural residential in character and has the smallest shoreline of the nine communities. Busti has two industrial development areas. One area is an industrial district located between Hunt Road and Baker Street and the other a light manufacturing and research district between Big Tree Road, Gleason Street, and Hunt Road.

The industrial district is home to the Stoneman Industrial Park and the Cummins Engine manufacturing facility. The light manufacturing and research area is home to ARRO Tool & Die, Ulrich Planifiling Equipment Corp., Master Carvers, ECKO Tool & Die, Jamestown Soap and Solvent, Southern Tier Brewery and Diversified Components. The districts are both south of the WRA area and adjacent to the Busti Wetlands Preserve.

The area west of the Village of Lakewood along NYS Route 394 to the Town of North Harmony boundary is primarily commercial. These commercial districts include a small auto resale facility, a convenience store, a pet supply store, a greenhouse, a seasonal travel trailer park, Smith Boys Marina, and several small boutique type businesses.

On the western side of the Town of Busti from Lakeside Avenue continuing northwesterly along NYS Route 394 to the North Harmony line is residential. Vukote, a canal front development with seasonal residences, is located within this area. The other lakeside residential area is located on the north side of NYS Route 394 beginning at Lakewood and extending west to a point east of NYS Route 474.

Busti Town Park is located within the Vukote area and provides the residents with basketball, soccer fields, a playground and picnicking and walking facilities. Busti Wetland Preserve is a 44.5-acre park

located along NYS Route 474. The park is the only municipally owned parcel on the lake dedicated to conserving wetlands and providing wetland access. See, [Town of Busti and Southeastern Portion of North Harmony Existing Land Use Map](#).



Opportunities

- Establish trails linking Vukote Park, the Wetland Preserve, Goose Creek Landing (Loomis property), and the Stoneman Industrial Park to enhance overall parks system.
- Create system of nature trails / boardwalks with markers in the Wetland Preserve.
- Create a canoe and kayak landing for Goose Creek on Loomis property.
- Purchase land on the Vukote canal or the lakeshore to provide lake access for Town residents.
- Complete Vukote Park Master Plan.
- Add public amenities such as parking at Wetland Preserve.

Constraints

- Signage and parking for the Wetland Preserve are inadequate.
- The Wetland Preserve and natural habitat it creates needs to be protected.
- Property Acquisition or Easements
- Funding

Town of North Harmony

The majority of the property on the north/northwest side of NYS Route 394 in the Town of North Harmony is single family residential in character with a mix of seasonal and year round homes. This area has several residential lakeside clusters at locations such as Stow, Hadley Bay, Victoria, Neits Crest, Quigley Park, Loomis Bay and Longview. The WRA also includes an area of residential homes in Ashville (along NYS Route 474).

An active commercial district exists near the I-86 Stow Interchange northeast of NYS Route 394. There is zoning in place that allows commercial properties in anticipation of future development. The commercial area currently includes: the Hadley Bay Restaurant (former Good Morning Farm Restaurant), Hogan's Hut General Store, the former Trails End Gallery, and a Niagara Mohawk Service Center. Also situated in this area are a veterinarian's office, the Stow Post Office, and the North Harmony Town hall. Ashville (the intersection of 474 and County Rd 83) is included in the WRA and has several commercial businesses. The Ashville area has a snack bar /general store, a gas station, a recreational outfitter, several artisan/crafter studios, and the Ashville Post Office.



The Town of North Harmony has limited recreational facilities located within the Township. Camp Chautauqua (a private campground) and Ashville Bay Marina are businesses through which lake access is possible. The shortage of public recreational facilities, especially along the lakeshore, limits access to the lake within the Township.

Tom's Point, a New York State Department of Environmental Conservation (DEC) wetlands area at Stow is a significant natural feature within the Township. Goose Creek flows into the lake at Loomis Bay and contributes to another significant southward extending area of wetland between Fardink Road and

Route 394. The Stow farm on Route 394 (lakeside) now belongs to the DEC. The Stow farm with its shoreline of over 1,100 feet is one of the most important fish and wildlife habitats on Chautauqua Lake. See: [Town of Busti and Southeastern Portion of North Harmony Existing Land Use Map](#), [Center of Town of North Harmony Existing Land Use Map](#), and [Northwestern North Harmony and Southwestern Chautauqua Existing Land Use Map](#).

Opportunities

- Create “Fishing Park” at the Ball Creek outlet under the I-86 Bridge.
- Develop the Stow Property.
- Build a public dock at the Ferry area to encourage better utilization of the Stow area by boaters
- Acquire Tom’s Point or a portion thereof.
- Improve Stow commercial area with façade program and streetscape improvements.
- Enhance Ashville commercial area – Goose Creek connection, business clusters.
- Proximity to Dobbins Woods Preserve

Constraints

- Tom’s Point is owned by DEC and contains a large wetland area.
- A development plan for the Stow area is needed.
- Need Easement from New York State Department of Transportation to access shoreline from Ball Creek parcel.
- North Harmony and Busti need to partner on Goose Creek efforts.
- Access to Goose Creek necessary for stream bank restoration and potential sediment control. Easements to be obtained.
- Current lack of public utilities at Stow Area for large development.

Town of Chautauqua

The Town of Chautauqua is primarily a rural residential community with the uplands comprised of vacant farmland and forest holdings. The Town of Chautauqua WRA consists principally of lands between the primary roads (NYS Routes 394 and 430) and the shoreline of Chautauqua Lake. The Village of Mayville divides the Chautauqua WRA into a western and eastern section. The western section extends north westerly from the Magnolia – Sherman Road to the Mayville Village line. The western segment along the shore of Chautauqua Lake is a dense mix of single- family residences, cottages, Town houses, and seasonal residential rental properties with lakeside residential clusters located at Prendergast Point, Chautauqua Institution, and Lighthouse Point.

Chautauqua Institution, approximately half way between Magnolia and Mayville, is a gated community that operates an internationally known summer cultural-educational program from the end of June through the end of August. The community has approximately 400 year round residents but may swell to 10,000 as seasonal residents and visitors take advantage of the summer programming.

The eastern section of the Chautauqua WRA begins at the northeast Mayville Village boundary and contains the same dense residential mix along the eastern shoreline to the Town border with Ellery at Thumb Road. This section contains the residential clusters of Hartfield, Dewittville and Point Chautauqua, an old residential community designed by Frederick Law Olmstead. The eastern shoreline of the WRA also is home to Chautauqua Lake Estates, the first condominium project on Chautauqua Lake.

“Industry” in the Town of Chautauqua consists of businesses that cater to the tourists and visitors that Chautauqua Lake draws to Chautauqua County. Along the southwest side of Chautauqua Lake amongst the residential mix are areas of commercial property. The Snug Harbor area, near the southwestern end of the Township, is home to the Snug Harbor Marina, one of two commercial marinas within the Township itself.



The area further to the north along the eastern shoreline and closer to Chautauqua Institution contains bed & breakfasts, tourist residences, rental cottages, gift shops, a motel and a variety of restaurants. Within the Institution gates are hotels, boarding houses, boutiques, a drugstore, a bookstore, open-air and indoor concert and lecture halls, and a variety of restaurants from snack bars to full-service restaurants. These all serve the visiting public and residents who take advantage of the programs and activities the Lake area has to offer.

The Creative Marine marina is located along Sea Lion Drive and is the smaller of the two marinas located within the Township. Dewittville, on the north east side of Chautauqua Lake, has a small cluster of commercial entities and includes the Dewittville Post Office, a restaurant, a cheese shop, a garden shop and several service-oriented businesses.

There are several camps and public areas situated along the lake in the Town of Chautauqua. The Town contains three privately held public golf courses: Willow Creek, located south of Snug Harbor, is a 9-hole golf course; the Chautauqua Golf Course, located across from the main Chautauqua Institution complex, is a 36-hole course; and the Point Chautauqua golf course, located on the eastern shore of the lake above the Point Chautauqua community, is a 9-hole golf course. At Prendergast Point, on NYS Route 394 near Snug Harbor, is a DEC Fish Hatchery and a DEC boat launch for public use. The boat launch is heavily used and is one of three DEC boat launches around the lake. See [Northwestern North Harmony and Southwestern Chautauqua Existing Land Use Map](#), [Town of Chautauqua - Chautauqua Institution and Lighthouse Point Existing Land Use Map](#), [Northeast Town of Chautauqua Existing Land Use Map](#), and [Southeast Chautauqua and Northwest Ellery Existing Land Use Map](#).

Opportunities

- Encourage the DEC to provide public dockage and picnic tables to allow boaters to better utilize Prendergast Point boat launch. Dredge area in front of launch.
- Promote Chautauqua Institution tourism
- Seawall replacement project
- Lighting plan and implementation

Constraints

- Lack of public access to lakeshore

Village of Mayville

Nearly 71% of the Village landmass is used for residential purposes, both year-round and seasonal. Residential properties are in all areas of the Village except for those noted below. The Village is also the county seat. The county campus is located at Erie and Chautauqua Streets and includes the county legislative chambers, courts, jail and administrative offices.



Industry in the Village of Mayville is situated in two locations. The west/northwest portion of the Village on East Chautauqua Street includes Chautauqua Custom Cabinetry. The southeastern side of the Mayville along Water Street (Rte 394) is home to Belknap Business Forms.

Most of the commercial businesses in the Village of Mayville are located along NYS Route 394, Erie Street, Water Street and West Lake Road between Chautauqua Street and the southeastern Village line. The largest concentration of these businesses is on Erie Street between Chautauqua Street and Evans Street, where few residential homes are located. This area can be considered the Village's central business district with the typical dining, banking, grocery, and retail type operations. A second area of commercial businesses, including several restaurants, a quick stop, gas stations, a motel, and the Chautauqua Marina, is located on NYS Route 394, Water Street, and West Lake Road along the lakefront.



Mayville owns and maintains two recreational parks. The most notable is Lakeside Park located on Chautauqua Lake on West Lake Road (Rte 394). Lakeside Park is a 14.3-acre park that includes a swimming beach, a boat launch, tennis courts, basketball courts, a track, and youth recreation fields for soccer and baseball. The park is the center for public celebrations such as Fourth of July fireworks and the winter Ice Castle festival. Several years ago, the Village of Mayville bought a strip of abandoned railroad right-of-way (1.1 Acres) along the shore of Chautauqua Lake that extends north from Lakeside Park to the Village line. It has become part of the Village park system and is used as a walking trail. The Village also has a park area (13.4 Acres) used for baseball and soccer at Marvin and Valley Streets. Chautauqua County owns a small park at the intersection of NYS Routes 394 and 430 within the Village. Although owned by the county, it is considered the “Village green” and many tourist related activities are carried on there during the year.

The Village of Mayville has a zoning law in place and is currently working on a major revision of that law. Although the Village has never adopted a formal comprehensive plan, the zoning law is formatted to include many aspects of a comprehensive plan. See [Village of Mayville Existing Land Use Map](#).

Opportunities

- Develop trails to link the Lakeside Park area to the Rails-to-Trails system.
- Implement the Recreational Waterfront Plan.
- Complete Downtown Master Plan and link to Lake's uses.
- Establish performing arts center / retail center to complement Chautauqua Institution efforts as indicated in Recreational Waterfront Plan.
- Work with private developer to encourage development in Lakeside Park area.

Constraints

- Funding
- Tennis courts, bathhouse, and other amenities are in need of renovations and updating.
- Need to complete revisions of zoning law

Town of Ellery

The Town of Ellery is primarily a rural residential Township with the majority of its development occurring along the lakeshore area. The area between Ellery's northwestern border and the Bemus Point Village line, between NYS Route 430 and the lakeshore is a mix of residential properties and camps. The residential properties consist of condominiums, Town houses, single residences, cottage properties, and lakeside residential clusters at Maple Springs and Sunset Bay. Oriental Park, a residential area adjacent to Bemus Point's southern boundary, is often thought of by visitors as an extension of the Village, but in fact is solely within the Town limits. Many of the properties in the area between the I-86 exit and the Bellevue area, most of which are residential, encompass steep slope development on the lakeside and command striking views of the lake on the north side of NYS Route 430.

Tourism is the primary industry in the Town. The commercial area in the Township, outside of the Village of Bemus Point, is centered in the Maple Springs area along the main highway. This area contains several small restaurant/tavern type establishments, a convenience store and a real estate office. Maple Springs, although primarily a residential community, contains two bed and breakfasts, tourist residences, and is home to one of the country's oldest amusement parks, Midway Park. Midway Park is situated on the lake and is one of 12 remaining "trolley" parks in the nation. Midway Park was developed as a destination attraction to encourage increased ridership on the lake steamers and later the railroad. The areas southeast of Bemus Point, such as Shore Acres and Greenhurst, along NYS Route 430 have commercial properties mixed into the residential areas. These are small or low-impact businesses, such as a convenience store, gas station, a laundromat, a nursing home, and a marina.

The Town of Ellery has a small number of publicly owned recreational opportunities within its boundaries. Long Point State Park is the largest public access point on Chautauqua Lake, with the largest of the three State boat launches and a marina. The park consists of 360 acres and is located near the center of the Town's shoreline.



The park has three playgrounds, and swimming and picnic facilities, and includes over 200 acres of park upland, as well as the lakefront. The property was once a private residence and the “point area” maintains some of those characteristics. Along Heinemann Road, close to the Ellicott Town line is the new Town of Ellery Park, still in the construction stage. Once completed, this will act as a recreation facility for the community, but it will not provide additional lake access. The Cheney property, which was recently purchased by New York State, will provide an additional public opportunity, when completed, for lake access and some types of recreation. Visitors to Ellery may take advantage of the lake through one of the semi-private lakeside camps and clubs, which include the Covenant Church camp, “Mission Meadows”, the Lutheran Camp and Retreat Center, J.I.M. Club, and the Vikings’ Lakeside Lodge.

Ellery contains some of the few areas between the primary highway and the lake that are still used for agriculture. Near Bellevue Creek is a working agricultural area that is used to raise row crops and hay. The Cheney farm, part of which will be used for a rest area and lake overlook on I-86 for travelers, has recently become idle. New York State has purchased a portion of this along the lakeshore for preservation. See [Southeast Chautauqua and Northwest Ellery Existing Land Use Map](#), [Central Ellery Existing Land Use Map](#), and [Southeast Ellery Existing Land Use Map](#).

Opportunities

- Work with New York State DEC to provide input on Cheney Farm property development. Projects may include hiking trails, farming museum, access to lake for public and acquisition of additional lands.
- Develop a bike path to connect Long Point State Park to Bemus Point.
- Maintain the scenic vista on the Cheney Farm.

Constraints

- Funding.
- The impact of a bike path on prime residential development area needs to be evaluated and mitigated during bike path design.
- Steep slopes at Cheney Farm and limited vehicular access.

Village of Bemus Point

The Village of Bemus Point is located in the north central portion of Chautauqua Lake where the lake is the narrowest. Bemus is a hub of summer activity on the lake and its downtown area reflects that. The residential properties within the community on the lakefront include seasonal homes, but most of the Village consists of year round residences.

There are no significant industrial properties located in the Village, and a majority of the commercial properties are located near the intersection of Liberty Street and Lakeside Drive going south and ending at the lake where the Bemus Point-Stow Ferry docks and going east from Lakeside Drive along Main Street to Lincoln Road. Restaurants, hotels, rental cottages, gift shops, and other commercial properties oriented toward summer entertainment are prevalent.



Bemus Point, although limited in geographic area, has a variety of recreational opportunities. Bemus Point maintains a Village park at Lakeside Drive and Lakeside Avenue that provides open space, views and a playground. On the lakeside of Lakeside Avenue adjacent to the Village is a Village property known as the "Casino". The "Casino" is leased to a private entity that runs it as a restaurant, banquet hall, and amusement arcade. The Bemus Point terminus of the Bemus Point-Stow Ferry is located at the eastern end of the "Casino".

The Village of Bemus Point maintains a public beach across from the village park along Lakeside Drive. The DEC maintains a boat ramp and parking area one block east of the Village Park for fishing access. The Bemus Point Golf Course, a 9-hole privately held public golf course of 65+ acres, is located along the Main Street (NYS Route 430) south of the main business district.

See [Village of Bemus Point Existing Land Use Map](#).



Opportunities

- Create downtown revitalization plan to address aesthetic enhancements, streetscapes, and signage.
- Encourage New York State DEC to upgrade boat launch area and parking with better landscaping and maintenance.
- Upgrade Bemus Point–Stow Ferry landing area breakwalls and pedestrian access.

Constraints

- Limited parking
- Funding

D. Land Ownership

This section identifies by community ownership of key parcels along the Chautauqua Lake shoreline. The vast majority of land bordering the shoreline is privately held.

Village of Celoron

There are several key parcels located along Celoron's shoreline. Included among them are two marinas in the eastern portion of the Village. These marinas service the majority of watercraft operating out of the south basin of the lake. Another key parcel is Lucille Ball Park, which offers public access to the lake. Along with being a mooring location for an excursion boat, the park offers a free boat-launching site, baseball field, playground, and picnic areas. At the western end of Celoron's shoreline, it is an undeveloped property currently owned by a commercial bank. This site offers a unique view of the entire South basin of the lake. This was the site of the old Celoron Amusement Park, dating back to the late 19th Century.

Town of Ellicott

Burtis Bay Park is located in West Ellicott and was opened as a bathing beach in the late 1950's as a Jaycee project to provide lake access for the residents of Ellicott and Jamestown. The beach was shut down shortly after because of high bacteria counts in the water due to discharges in the vicinity. The existence of these discharges has been eliminated since the creation of the Chautauqua Lake South and Center Sewer District. The park currently provides shoreline access, open space, a baseball diamond, and picnic areas. Along Ellicott's northern shoreline, the Chautauqua Watershed Conservancy has purchased 50-acres in the Bonita Wetlands that includes 2880 feet of undeveloped shoreline. This parcel may be developed as a nature preserve by the conservancy organization.

Village of Lakewood

The Village maintains Lakeside Community Park at the eastern end of the Village. This park is one of three parks owned by the Village and has a free boat launch as well as limited docking, picnic grounds and a trailer parking area. Hartley Park, located at the end of Chautauqua Avenue, is the Village's largest park. The park provides bathing facilities, tennis and basketball courts, playgrounds, picnic facilities and a beach area. Lowe Park is located along Terrace Street and provides 50 feet of public access to the lake. In addition, Lakewood contains several quasi-public organizations with key parcels on the waterfront. The Lakewood Rod and Gun Club recently built a new clubhouse facility on East Terrace Avenue. The membership of this club is significant and it provides boat slips for a limited number of its members. The Chautauqua Lake Association (CLA) maintains a lakefront presence with its office, docking and storage area. The CLA is a not-for-profit organization that maintains a fleet of weed harvesters and barges that cuts weeds and clean up the shoreline in trouble spots up and down the lake throughout the summer season. The YWCA is located west of the CLA facility and provides tennis facilities and lake access to its members. The Chautauqua Lake Yacht Club facilities are located east of Hartley Park.

Town of Busti

The Town of Busti has the smallest amount of lakeshore of the nine lake communities. Vukote Park and the Busti Wetland Preserve are both owned and maintained by the Town. Vukote Park provides recreational fields, a playground and picnic space for the residents. Busti Wetland Preserve is approximately 44-acres of wetlands that serves as a nature preserve and has not been developed by the Town. Smith Boys' Marina, a private marina, is the only other key property in the WRA.

Town of North Harmony

Just south of Stow is a 6-acre parcel along Ball Creek that has been purchased by the Watershed Conservancy. The Conservancy plans on limited development of the parcel. Likewise, just north of Stow is an area known as "Tom's Point", which is owned by the NYS DEC. Tom's Point is wholly undeveloped and offers rough shoreline access. The DEC considers the shoreline of Tom's Point a prime muskellunge nursery area. Chautauqua County deeded an approximately 3/4- acre parcel at the ferry landing to the Town to be developed as a park. In addition, Cheney's Point has a small parcel owned by the Town with lake access. The Stow farm, and its waterfront, has recently been acquired by the DEC. It is not extensively developed but does offer road access to the waterfront.

Town of Chautauqua

At Prendergast Point, the DEC operates an active muskellunge hatchery. The DEC maintains a boat ramp and trailer parking lot for public use at the site. Chautauqua Institution provides a unique lakeside experience with a 19th century Victorian atmosphere. The Allegheny Highlands Council of the Boy Scouts of America operates Camp Merz in the Town.

Village of Mayville

Lakeside Park is a large municipal park with picnic areas, baseball and soccer fields, a beach area, bathhouse, tennis, basketball, track and boat launch facilities. Adjacent to this is an abandoned rail bed purchased by the Village for use as a walking path with lake access. Gravits Park is located at Marvin and Valley Streets and provides sport field opportunities for the community. Chautauqua County owns a park at the corner of Routes 430 and 394. The park, although owned by the County, is used as a Village green in the center of the business district. In addition, the Village owns wetlands along Sea Lion Drive that may one day be utilized.

Town of Ellery

Ellery has three camps located along its shoreline, the Lutheran Camp & Retreat Center, "Mission Meadows," and the Boy's J.I.M. Club. Immediately adjacent to these camps is the Jamestown Viking Lake Home and Midway Park, one of the oldest amusement parks in the country, and owned by New York State. Long Point State Park on Chautauqua Lake is also located in Ellery. The 360-acre park is located just north of Bemus Point and offers a marina, launch ramps, swimming beach, beach house with lockers and showers and picnic grounds. One of the largest undeveloped waterfront properties, the Cheney Farm, is located east of Bemus Point. The New York State of Transportation (DOT) and the

DEC now own portions of the property. The DEC will develop it for fishing access and the DOT is putting in a rest stop and overlook for visitors. The Town of Ellery has created a Town Park along Heinemann Road to provide sports field and other recreational opportunities.

Village of Bemus Point

The Bemus Point – Stow Ferry crosses the lake here and loads/unloads next to the Casino at the end of Lakeside Drive. The Village owns the Casino and leases it to concessionaires. Next to the Casino is a lakeside park with basketball courts and a playground. The Village maintains a public swimming beach adjacent to the park and Casino. The DEC maintains a public launch site, a parking area.

E. Public Access and Recreation

Lake Access

Given the number of people that live in or visit the Chautauqua Lake watershed to enjoy the beauty and recreational qualities of Chautauqua Lake, it is not surprising that issues involving access to the lake have arisen and, sometimes, have created conflict between different types of lake users. The issues are, in fact, sizeable enough to have gained State recognition and "access to Chautauqua Lake" is one of the priority projects (Chautauqua Lake Access, Vistas, Shore Lands & Tributaries) listed in the 2006 New York State Open Space Conservation Plan. The term "access", as used here, is given broad meaning, and includes public and private access for boating, shore fishing, ice fishing, swimming, and picnicking, as well as parking and rest rooms to support lake access areas. See [Public Access and Recreation Map](#).



Chautauqua Lake is contained within approximately 42 miles of shoreline, most of which already have been developed for public and private interests. Public access to the lake includes several State-owned properties at Bemus Point, Prendergast Point, Stow, Long Point State Park, and Midway Park. A recent April 1998 purchase added 10 acres of the Cheney farm, in the Lake's south Basin, to the list of State-owned public access points along Chautauqua Lake. Many of the local municipalities surrounding the lake (including the Villages of Bemus Point, Mayville, Celoron, and Lakewood and the Towns of Ellicott and North Harmony); several quasi-public facilities (e.g., Chautauqua Institution, Allegheny Highlands Council Boy Scout Camp Merz, YMCA Camp, and a number of religious and fraternal organizations); and a number of privately-owned facilities (e.g., Midway Park, marinas, privately-owned campgrounds, etc.) offer public access to the lake either at no cost (as is the case with the local municipal facilities) or for a fee (charged by most of the commercial facilities). The following [map](#) and table identifies the major formal public and private access points that may be utilized by the public.

Chautauqua Lake Access Points

	Location	Municipality	Type(s) of Access	Ownership
1	Creative Marine	Mayville	Boat Launch, Docking	Private
2	Lakeside Park	Mayville	Boat Launch, Swim, Scenic, Fishing	Village
3	Chautauqua Marina	Mayville	Boat Launching, Docking	Private
4	Elmwood Road	Chautauqua	Small Boat Launch	Town
5	Chautauqua Institution	Chautauqua	Scenic, Swimming	Private
6	Knights Road	Chautauqua	Small Boat Launch	Town
7	Meadows Rd R.O.W.	Chautauqua	Small Boat Launch	Town
8	Prendergast Point	Chautauqua	Boat Ramp, Scenic, Boating, Shoreline Fishing	NYS DEC
9	Snug Harbor Marina	Chautauqua	Boat Launch, Docking	Private
10	Long Point State Park	Ellery	Marina, Boat Ramp, Swim, Scenic, Shoreline Fishing	NYS OPRHP
11	Tom's Point	North Harmony	Scenic, Shoreline Fishing	NYS DEC
12	Bemus Point Park	Bemus Point	Docks, Scenic, Swimming	Village
13	Ball Creek Park	North Harmony	Scenic, Fishing	Watershed Conservancy
14	DEC Launch Site	Bemus Point	Boat Ramp, Shoreline Fishing	NYS DEC
15	Shore Acres	Bemus Point	Boat Ramp, Docking	Private
16	Cheney's Point	North Harmony	Public Small Boat Launch, Shoreline Fishing	Town
17	Cheney Farm	Ellery	Shoreline Fishing	NYS DEC
18	Ashville Marina	North Harmony	Boat Launch, Docking	Private
19	Vukote Park	Busti	Scenic	Town
20	Smith Boys Marina	Busti	Boat Ramp, Docking, Shoreline Fishing	Private
21	Lowe Park	Lakewood	Scenic	Village

	Location	Municipality	Type(s) of Access	Ownership
22	Hartley Park	Lakewood	Swim, Scenic	Village
23	Lakewood Community Park	Lakewood	Boat Ramp, Scenic	Village
24	Burtis Bay Park	West Ellicott	Scenic, Shoreline Fishing	Town
25	Lucille Ball Park	Celoron	Boat Ramp, Scenic, Handicap Access Dock	Village
26	Holiday Harbor	Celoron	Boat Ramp, Docking	Private
27	Midway State Park	Ellery	Docking, Amusement Park	NYS OPRHP

In 1990, the New York State Office of Parks, Recreation & Historic Preservation (OPRHP) reported on the utilization of State-owned boat launch facilities. The report stated that highest utilization of State launch sites was from 10:00 a.m. to 4:00 p.m. daily, with peak use occurring on summer (i.e., July 1 to September 3) weekends and on select holidays (Memorial Day, 4th of July, Labor Day, and Columbus Day). The document also reported on the usage, or available capacity, of specific State launch facilities including the launches at Bemus Point, Prendergast Point, and Long Point State Park. Capacity was measured as the percent of surveyed days that launch ramp parking lots were filled to capacity. Surveys were conducted by roving census agents who attempted to measure capacity under a variety of conditions (e.g., busy summer weekends, slower spring and fall weekdays). The report suggests that overcrowding was not an issue in 1990 at the State launch ramps on Chautauqua Lake. Parking associated with the ramps on summer weekends was filled to capacity only 30% of the surveyed days at Long Point, 0% of the days at Bemus Point, and only 10% of the surveyed summer weekend days at Prendergast Point. The data, thus, indicate that the capacity of public boat launch sites is adequate on Chautauqua Lake. It should also be noted that the same survey concluded that less than 1/3 of the boats in use on lakes in New York State were launched from public launches. A second survey in 1998 confirmed the findings from the 1990 study.

Although this inventory has only focused on public access to Chautauqua Lake, the highly- developed shoreline of Chautauqua Lake may also create private lake access issues include those relating to "funneling", the methods by which privately owned non-lakefront, upland dwelling units, or households secure access to the lake. "Funneling" can become a problem when the number of non-lakefront households, that many times share a common access point to the lake from an upland project or subdivision, increases far out of proportion to their allotment of lakefront. "Funneling" situations can also arise when several households access the lake by sharing a right-of-way, a non-buildable-sized lakefront lot, or a road that ends at the lake. There will be a tendency for more "funneling" problems to arise as lakefront lots are built out and more upland, or second-tier, development occurs.

Recreation

Chautauqua Lake is used extensively for recreational purposes with passive viewing of the lake, power boating, swimming, and fishing topping the list of the recreational activities engaged in most frequently

by lake users. Some uses, such as boating and angling, have increased in recent years as witnessed by the over 25% rise in boats registered for principal use in Chautauqua County from 1985 to 1993 and by angling statistics that show that the number of angler days expended on Chautauqua Lake increased by over 60 percent from 1973 to 1996.



Chautauqua Lake, in fact, occupies a significant standing, compared with other lakes in New York State, with regard to angling. It ranked second out of the major New York inland waters in the number of angler days expended in 1996, and ranked seventh out of 23 major New York waters in estimated expenditures associated with angling trips conducted in 1996.

Although Chautauqua Lake is widely used for recreational purposes, the *2003 Statewide Comprehensive Outdoor Recreation Plan (SCORP)* projects that Chautauqua County's outdoor recreation facilities (including Chautauqua Lake) will meet or exceed demand to the year 2020. Aerial counts of the number of boats on Chautauqua Lake during busy summer weekends and holidays verify that the intensity of boating use on Chautauqua Lake (i.e., number of surface water acres per vessel) falls within the minimum lake user space recommended in the SCORP (2003). Fourth of July counts made by the Chautauqua Lake Association in 1993, for instance, indicated that there were approximately 14.5 acres/vessel, and counts made by the NYS OPRHP in 1990, during busy periods, showed approximately 39 acres/vessel. More recent counts made by the DEC are consistent with the other counts; the smallest space per vessel recorded by DEC during its May - December 1998 study period was 28.6 acres per boat. These counts meet or surpass the minimum 15-20 acres recommended in the SCORP (2003) for each vessel engaged in water skiing (water activity with highest space requirements).

Although official counts have indicated adequate capacity based on space per vessel on Chautauqua Lake, anecdotal evidence raises questions of those conclusions. The past five years has seen an increase in the popularity of personal watercraft (jet-skis) and raised concerns in especially congested areas of the Lake, such as at the Bemus Point Narrows. Recent State legislation governing the use of personal watercraft may address concerns raised during the public input portion of the creation of this document and the level of usage.

In addition to the traditional water related activities associated with Chautauqua Lake, the lake area provides visitors and residents with a variety of other recreational opportunities. The following table categorizes the most popular alternate recreational uses and their locations.

Alternate Recreational Opportunities

Activity	Township	Location
Golf	Chautauqua Point Golf Course	Chautauqua
	Bemus Point Golf Club	Bemus Point
	Chautauqua Golf Club	Chautauqua
	Willow Brook Golf Course	Chautauqua
	Webb's Miniature Golf	Mayville
Camping	Camp Chautauqua	North Harmony
	Hadley Bay - Stow	North Harmony
	Camp Prendergast	Chautauqua
	Stow Camping Area	North Harmony
	Davis Camp Grounds	Chautauqua
	Chautauqua Heights	Chautauqua
	Wildwood Acres	Ellery
	James Lakefront Camping	Busti
	Lucille Ball Memorial Park (Handicapped Access)	Celoron
	Burtis Bay Park	Ellicott
	Lakeside Community Park	Lakewood
	Hartley Park	Lakewood
	Stow Ferry Line	North Harmony
	Prendergast Point	Chautauqua
	Lakeside Park	Mayville
	Long Point State Park	Ellery
	DEC Boat Launch	Bemus Point
Field Sports	Bemus Park	Bemus Point
	Town of Ellery Park	Ellery
	Burtis Bay Park	Ellicott
	Lucille Ball Memorial Park	Celoron
	La Grega Memorial Field	Lakewood
	Vukote Park	Busti
	Lakeside Park	Mayville

Chautauqua Lake Local Waterfront Revitalization Program

Activity	Township	Location
	Ellery Town Park	Ellery
Biking	Long Point State Park	Ellery
	NYS Routes 430 and 394	
Bike Lanes	Whole Lake	
Hiking	Busti Wetland Preserve	Busti
	Tom's Point	Stow
	Dobbin's Woods Preserve	Stow
	Mayville Rail Line	Mayville
	Long Point State Park	Ellery
Tennis	Hartley Park	Lakewood
	Southwestern School	Ellery
	Lakeside Park	Mayville
	Bemus Point Elementary School	Bemus Point
	Chautauqua Institution	Chautauqua
Snowmobiling	Designated areas surrounding Chautauqua Lake	Designated areas within Towns & Villages except Bemus Pt., Celoron, Lakewood, and N Harmony
	Long Point State Park –	
Connects to Trail System	Ellery	
Cross Country Skiing	Long Point State Park	Ellery
	Stow Farm	North Harmony
	Tom's Point	North Harmony
	Chautauqua Institution Golf Course	Chautauqua
Ice Fishing	Many areas of lake	
Ice Boating	Whole Lake	
Bird Watching and Wild Life Observation	Dobbins Woods – Bly Hill	North Harmony
	Bentley Nature Preserve	Ellicott
Bird Watching and Wild Life	Chautauqua Lake Outlet Preserve	Ellicott
	Stow Farm Preserve	North Harmony
	Prendergast Creek Preserve	Chautauqua
	Long Point State Park	Ellery
	Tom's Point	North Harmony
	Elm Flats Wetlands Preserve	Chautauqua
	Busti Wetlands Preserve	Busti
	Bird Sanctuary/Gifford Avenue Wetlands	City of Jamestown (Borders WRA)
	Entire Lake	All Towns

F. Infrastructure

This section examines the infrastructure systems located within the Chautauqua Lake Communities. The systems inventoried include water supply, sewage, and solid waste disposal, and the transportation network within and around the communities.

Water Supply

As a Class "A" (6 NYCRR Part 701) potable water supply, Chautauqua Lake is an essential resource for the communities within the watershed. The lake serves as a source of water for drinking, bathing and food preparation for a number of public and private water supply systems.

The New York State Department of Health defines any water system serving more than four housing units as a public water supply system, even though they may be owned and operated privately. Public systems dependent on the lake for their water supply include the Chautauqua Utility District serving Chautauqua Institution and the systems serving the condominium developments at Chautauqua Lake Estates and serving Point Chautauqua on a seasonal basis. In addition to these public systems, about 25 lakefront property owners draw their water directly from the lake.

The remainder of the watershed finds its water supplies from wells, including a number of municipal systems. Municipal systems dependent on well water in the watershed include the Village of Mayville and the City of Jamestown water systems. The City of Jamestown provides water service to the Villages of Celoron and Lakewood, and portions of the Towns of Ellicott, Busti, and North Harmony.

Mayville

The Village of Mayville water system capacity is 0.65 million gallons per day (mgd) and the current usage rate is .3 mgd or 46% of its total operating capacity. The Village is serviced by three wells located on Patterson Street and Morris Street in the Village. Mayville is currently exploring the options of drilling a fourth well to augment its supply and has added a chlorination system. The collected water is stored in three tanks on West Maple Drive each holding 600,000 gallons, 200,000 gallons, and 200,000 gallons respectively. The district is comprised of the entire Village. Generally, the Village of Mayville's water supply network has had some excess capacity. The addition of a fourth well will ensure that capacity is adequate to meet proposed LWRP projects.

Chautauqua

The Town of Chautauqua is primarily served by private wells with the exception of two public water supply systems that utilize Chautauqua Lake as a source, which provide water to large residential clusters.

- A. Chautauqua Institution is served by the Chautauqua Utility District, a public system dependent upon the lake for a water supply. The Chautauqua Utility District water system capacity is 1.5 million gallons per day (1.5 mgd) and the current average usage

rate is 1.1 mgd. Peak demand during the summer season reaches 1.0 mgd. The system is augmented by a 1.2 million-gallon storage facility.

- B. Chautauqua Lake Estates, a condominium development, relies upon the lake as a water supply to provide owners with potable water.

Although water capacity is limited in the Town of Chautauqua, the projects proposed in the LWRP will not be limited by this factor.

Bemus Point

The Village of Bemus Point is served completely by individual wells. Artesian wells serve part of the community while other properties such as the Surf Club need 400+ feet deep wells to obtain an adequate water supply. Investigation of water supply capacity would be necessary on a project-by-project basis in Bemus Point.

Ellery

The Town of Ellery is served completely by individual wells. Investigation of water supply capacity will be necessary on a project-by-project basis.

Ellicott, Busti, Celoron & Lakewood

The City of Jamestown Board of Public Utilities (BPU) primarily serves the Town of Ellicott with some Town properties in the upland areas relying upon wells. The Town of Busti is partially served by the City of Jamestown Board of Public Utilities. The BPU district serves the lakeshore area and Hunt Road. Both the Village of Celoron and the Village of Lakewood are completely served by the City of Jamestown Board of Public Utilities. The BPU relies upon wells in two well fields fed by the Cassadaga and Conewango Aquifers. The collected water is stored at three reservoirs with a combined capacity of 12.5 million gallons. The City of Jamestown water system capacity is 12 mgd and the current usage rate is 5.5 mgd or 46% of its total operating capacity.

North Harmony

The Town of North Harmony is primarily served by individual wells. The Village of Lakewood provides water to a limited district along the lakeshore that ends across from the Ashville BOCES on Route 394. Investigation of water supply capacity will be necessary on a project-by-project basis during the planning phase for LWRP projects.

Sewage Disposal

Many changes in wastewater discharge management have been made since the benchmark nutrient budget studies for Chautauqua Lake were calculated in the 1970's. One of the most important changes has been the development of municipal wastewater collection and treatment systems.

See [Sewer Districts Map](#).

In the lake's south basin, the Villages of Bemus Point, Lakewood and Celoron and portions of the Towns of Busti, Ellery, Ellicott and North Harmony are now served by the South and Center Chautauqua Lake Sewer Districts' wastewater collection and treatment system, which discharge into the Chadakoin River, the lake's outlet. On the northern shore of the lake, the South and Center Chautauqua Lake Sewer District begins at Midway Park in the north end of Maple Springs and ends at the limits of the City of Jamestown. On the southern shore the South and Center Chautauqua Lake Sewer District begins in the Town of North Harmony at Ashville Bay Road and travels to the limits of the City of Jamestown. Sunrise Cove, a residential development in North Harmony, is located in North Harmony Sewer (Water) District # 1 and contracts to pump waste for treatment.

The sewer district facility has a maximum treatable capacity of 4.1 mgd. Current usage averages approximately 2.0 mgd. Occasional peak flows of 5.0 mgd do occur during wet periods due to inflow and infiltration. Cummins Engine and Fairbank Farms are two companies outside of the district contracting for waste treatment. They are the two largest contributors to the system at approximately 0.07 mgd. Residential users in the municipalities listed have the greatest impact on daily capacity of the sewer system. North Harmony has expressed an interest in extending the district to the Stow area, if feasible, which would add an additional 900 housing units. As long as the current facility is operating at less than 50% of capacity, the South and Center Chautauqua Lake Sewer Districts' would have adequate capacity to absorb this extension and has no plans for upgrading or expanding the existing system. Moreover, proposed LWRP projects in Busti, Ellery, Ellicott, North Harmony, Bemus Point, Lakewood, and Celoron should not propose an undue burden on the shared wastewater treatment facility.

In the North Basin, wastewater generated from another seven miles of lakeshore development, from the eastern shore of Hartfield Bay to Prendergast Point, is now collected and directed through two secondary treatment plants. The North Chautauqua Lake Sewer District and the Chautauqua Utility District serve areas that either had no previous service, or that discharged effluents into the lake basin following only primary wastewater treatment. The North Chautauqua Lake Sewer District facility currently has a maximum capacity of .5 mgd. Current daily usage is 190,000 gallons per day with spring and summer flows exceeding the daily flow by 30%. The facility is currently being upgraded which will raise the maximum capacity to .75 mgd. The Chautauqua Utility District's facility has a maximum capacity of .84 mgd. Current daily usage averages 0.31 mgd with summer flows reaching .58mgd. Proposed LWRP projects in Mayville and Chautauqua are unlikely to create the necessity to further increase capacity at either facility.

Enforcement activities, in the remaining areas around Chautauqua Lake with private sewer systems, undertaken since the mid- 1970's by the Chautauqua County Health Department have resulted in a marked reduction in the number of individual households discharging wastewater directly into the Chautauqua Lake. Chautauqua Estates, Bayberry Landing and the Chedwell Club condominium complexes are all located outside of established sewer districts in the North Basin. Chautauqua Estates and Bayberry Landing have each installed a secondary package plant to address wastewater generated in their developments. Chedwell Club condominiums are served by a septic system with a sand filter. New community systems are either required to provide a minimum of secondary wastewater treatment,

or are not permitted to discharge effluents into the lake. Presently, the feasibility of connecting these areas to one of the existing municipal sewer networks is unlikely due to the significant cost involved and the lack of adequate development to support those costs. LWRP projects that are proposed in these areas will each need to be evaluated on a project-by-project basis.

Solid Waste Disposal

The Towns of Chautauqua, Ellery, Ellicott, Busti, and North Harmony allow residents to choose their own private contractor for refuse disposal or to utilize the county or Town transfer station.

The Towns of North Harmony and Busti provide a transfer station for residents every Saturday, the Town of Chautauqua provides recycling capacity, and the residents in the Oriental Park in the Town of Ellery are part of a public benefit district which provides them trash pickup from a single contractor.

Chautauqua Institution and the Village of Lakewood each contract all solid waste services with a single contractor. The Villages of Celoron, Mayville and Bemus Point each utilize municipal forces for solid waste services on a weekly basis.

Municipalities and refuse haulers primarily use the Chautauqua County landfill, which is located on Towerville Road in the Town of Ellery.

Transportation Systems

Roadways:

The communities around the lake have four interchanges on the I-86 Expressway providing a major east-west link to I-90 and I-79, two major north-south and east-west corridors, and the nearby population centers of Erie, Pennsylvania and Cleveland, Ohio. The Stow Interchange, one of the four interchanges, is the only interchange on the southern shore of Chautauqua Lake and is located southwest of the lake in the Town of North Harmony. This is an integral interchange because it provides access to the Chautauqua Lake Veterans Bridge on I-86. The bridge, which opened on November 12, 1982, provides the only vehicular crossing to the opposite side of the lake and improves the circulation pattern for residents and emergency vehicles. See [Roadways Map](#).

The Village of Bemus Point has two interchanges on the northeast side of the lake. The Route 430 interchange connects NYS Route 430 with the community at the northwestern edge of the Village and the Chautauqua Bridge interchange connects the north and south sides of the lake at the Village's southeastern border. The last interchange in the WRA is the Strunk Road exit on I-86, which is located in the Town of Ellicott and provides direct access to NYS Route 430 at the southeastern end of the lake.

The two major roadways that interconnect the Chautauqua Lake communities, creating a ring around the lake, are NYS Routes 394 and 430. These primary highways form the outer boundary for the Waterfront Revitalization Area (WRA) in a majority of the waterfront area surrounding the lake.

On the north end of the lake, Routes 394 and 430 intersect in the Village of Mayville. Route 394, originating to the north on the shores of Lake Erie, follows down the southwestern side of the lake to

Ashville and continues eastward into the City of Jamestown. Along the way Route 394 intersects with the I-86 interchange in North Harmony, Route 474 in the Town of Busti, County Road 69 in the Village of Lakewood and County Road 67 in the Village of Celoron.

Starting in the Town of Mina, Route 430 follows a northeasterly route until it intersects with Route 394 in Mayville. It then runs southeasterly around the northern perimeter of Chautauqua Lake until it ends at Route 60 in the City of Jamestown. Then, it intersects with County Roads 27, 29, 54 and 58 in the hamlet of Hartfield, in Dewittville with County Route 52, and at Maple Springs it intersects with County Route 46. In the Towns of Ellery and Ellicott Route 430 intersects with County Road 59 also known as Townline Road and County Road 44 (Bemus Point–Ellery Rd).

Because NYS Routes 394 and 430 are a major part of the circulatory system around Chautauqua Lake, and intersect with many major county roads, and several I-86 interchanges, they have a high volume of traffic that includes truck traffic especially in the summer months. This has created entrance and exit problems on residential roads originating at the lake and intersecting these two state routes. Beginning in 2002, during the summer months, NYS Route 394 was posted for a limit of 45 mph due to its configuration and the number of vehicles accessing it from lakeside residential roads. The involved communities would like to see some restrictions on truck traffic and do not want to have roadways widened. The communities feel the ambiance and charm of the area would be compromised if roads were widened to make them accessible to greater amounts of traffic.

I-86, formerly State Route 17, parallels Route 430 along the northeasterly side of the lake. Within Chautauqua County, it is a four-lane limited access highway, with the Chautauqua County portion designated as a federal interstate highway in December of 1999. One of the projects on I-86 that has been planned for years that is coming to fruition is a safety rest stop/overlook area located on the south side of I-86, between Westman and Bellview Roads, just to the north of Rte 430. It is on a prominence located on the old Cheney Farm, and provides a panoramic view of Chautauqua Lake. There were no rest areas on I-86 in Chautauqua County before this construction.

Rail:

The CSX Corporation and Norfolk Southern serve the Chautauqua County Area, as well as the short line, the Western New York and Pennsylvania Railroad (WNYPRR). See [Railroads Map](#)

All are engaged in hauling freight within the county either solely by train or through a combination of rail and truck service. The WNYPRR has a rail line going through the Villages of Lakewood and Celoron. It is not now a passenger line but could be used as tourist transportation. Amtrak passenger service is available out of Erie, Pennsylvania, and Buffalo, New York, providing rail access from all major areas.

Air:

Chautauqua County has two county owned airports that are classified the following way. The Jamestown Airport is classified by the Federal Aeronautics Administration (FAA) as a small commercial service airport, non-hub. U.S Air Express flies out of Jamestown on a daily basis along with private and

corporate airplanes. Nearby Jamestown Community College uses the airport to conduct a pilot training program as part of its curriculum for commercial pilots.

The FAA classifies the Dunkirk Airport as a general aviation airport with corporate and private planes flying from that field. Chautauqua Lake is also within a 1 ½ - 3-hour drive of six major international airports – Buffalo/Niagara, Erie, Cleveland, Rochester, Toronto and Pittsburgh. There is also a privately owned field in Mayville – DART Airport. It is used for private planes and gliders. People visiting Chautauqua Lake have an opportunity to fly in, as well as driving to their destination.

Buses:

Bus Service within the county is through the county run Chautauqua Area Rural Transportation Services (CARTS). Neither Jamestown nor Dunkirk now has private bus service within those cities. CARTS assists them along with the rest of the county. Niagara Scenic provides a bus link between Jamestown and interstate bus and rail terminals in Buffalo.

Bike and Pedestrian Connections:

Providing alternatives to the automobile, like sidewalks, bike lanes, and multi-use trails is becoming increasingly popular in communities across the country. The Chautauqua Lake LWRP communities are working toward putting walking/hiking and bicycle paths together either under their auspices or through groups such as Rails to Trails.



It is a collective wish of the Chautauqua Lake LWRP communities that a trail be established that rings Chautauqua Lake. Routes 394 and 430 are designated as bike routes and there is a bike lane extending from Jones and Gifford Avenue in Celoron into downtown Jamestown. The Village of Mayville several years ago bought the old railroad bed that followed the lakeshore within the Village. One reason for

doing this was to provide a walking path for the community and visitors. The plans are to enhance it minimally providing a natural setting with a lake view for walking and bicycling.

G. Historic Resources

The Chautauqua Lake communities are rich in historical significance dating as far back as 5,000 years ago when the Native American “Mound Builders”, a part of a larger industrious civilization believed to have flourished in North America at that time, lived around the shores of Chautauqua Lake. Sites and structures of both national and local significance, including archaeological resources, are located within the waterfront revitalization area of Chautauqua Lake.

Archaeological Areas of Sensitivity

Archaeological Areas of Sensitivity are general areas known to contain significant archaeological sites. Archaeological Areas of Sensitivity are defined as the location of past focused human activities, defined in close proximity of continuous distribution of artifacts. The sites identified within the WRA are primarily at trail heads, creek outlets and deltas, which provided the ideal setting for fishing and gathering natural materials. Many of the sites contain evidence of past settlements, Indian burial mounds or an Indian cemetery. The specific locations of these sites are not provided in the LWRP text in an effort to prevent disturbance to these sensitive cultural areas. However, an unofficial digital representation of part of the NYSOPRHP “Circles and Squares” map produced in 1992 illustrates general areas of sensitivity. All development projects, whether inside or outside of NYSOPHP’s designated zone, will be subject to an appropriate archaeological investigation.

Historic Places

In an effort to identify, evaluate, and protect historic and archaeological resources, the National Park Service established the National Register of Historic Places under the National Historic Preservation Act of 1966. NYS OPRHP followed by establishing the New York State Register of Historic Places under the New York State Preservation Act of 1980. These registers are the culmination of coordinated public and private efforts to protect properties including districts, sites, buildings, structures and objects that are significant to New York State and American history, architecture, archaeology, engineering, and culture. In addition, achievement of Register status means more than simply protection. The benefits include eligibility for grants, tax breaks, and emphasis for historic projects in the planning processes that have federal or state involvement.

This section identifies locally significant sites based on research of existing inventories and reports. Additionally, information gathered at public meetings and interviews with local people aided with the identification of other significant sites. Some sites have been included that are outside the waterfront revitalization area but are regionally significant enough to be part of this inventory.

Point Chautauqua and Chautauqua Institution are both historic districts. Point Chautauqua, founded in 1875, was originally a Baptist Bible Camp. Frederick Law Olmstead was asked to layout the building plan for the community. Mr. Olmstead had already distinguished himself as America’s most eminent

landscape architect of the 19th Century as the designer of both Central Park in New York City and the Buffalo Parks System. To honor Olmstead's unique design of the area, the Point Chautauqua it was placed on the National Register of Historic Places as a Historic District.

Chautauqua Institution was founded as a religious center in 1874 by Lewis Miller and John Heyl Vincent, a Methodist minister. The Chautauqua Movement evolved from the first Chautauqua Sunday School Assembly in 1874 and the belief that people needed secular education as well as Biblical learning. Today, Chautauqua Institution is thought of as an experience rather than just a place. It is valued as a place of "spiritual growth and intellectual stimulation, where faith is restored and the arts are valued." Not only is the Chautauqua Institution on the Historic Register but the district was also designated as a National Historic Landmark on June 30, 1989.

There are several other properties within the waterfront revitalization area that should be noted although they are not on the National Register. They include the Minturn Mansion located within Long Point State Park, Midway Amusement Park in the Town of Ellery, and the Stow-Bemus Point Ferry in North Harmony and Bemus Point.

The following chart lists the primary historic resources identified by communities. Members of the LWRP committees have suggested undertaking a historic resource study to more accurately capture all historic resources within the WRA boundary.

Chautauqua Lake Communities Sites of Historic Significance

Resource Name	Address	Town/Village	National Historic Register	State Historic Register
Bly, Smith, House	4 N. Maple St.	Ashville	10/1/1974	Yes
Busti Mill	Lawson Rd.	Busti	7/23/1976	Yes
Chautauqua Institution Historic District	Bounded by Chautauqua Lake, North and Lowell Aves and Rte 394	Chautauqua	6/19/1973	Yes
Lord, Dr. John, House	Forest Rd. Extension	Busti	3/2/1991	Yes
Lewis Miller, Cottage, Chautauqua Institution	Rte 394	Chautauqua	10/15/1966	Yes
Athenaeum Hotel	Chautauqua Institution, Rte 394	Chautauqua	In Chaut. Historic Dist.	In Chaut. Historic Dist.
Chautauqua Amphitheater	Chautauqua Institution, Rte 394	Chautauqua	In Chaut. Historic Dist.	In Chaut. Historic Dist.
Holland Land Company Vault	Erie Street	Mayville	No	No

Chautauqua Lake Local Waterfront Revitalization Program

Resource Name	Address	Town/Village	National Historic Register	State Historic Register
Point Chautauqua Historic District	Roughly bounded by NY 430 and Chautauqua Lake between Lake and Leet Aves.	Chautauqua	5/17/1996	Yes
Erie Railroad Station	211-217 W 2nd Street	Jamestown	Pending	Pending
Minturn Mansion	Long Point State Park	Ellery	Eligible	Eligible
Midway Amusement Park “Trolley & Steamboat Park”	Rte 430	Ellery	No	No
Stow Ferry	Rte 394 – Stow Ferry Rd	N. Harmony	No	No
Bemus Point Casino	Lakeside Drive	Bemus Point	No	No
Hotel Lenhart Hotel	Lakeside Drive	Bemus Point	No	No
Sorg Mansion	3W. Terrace Street	Lakewood	No	No
Sheldon Hall	Griffith’s Point	Ellery	No	No
Steamboat Docking	Italian fisherman site	Bemus Point	No	No
Ice Houses	Ashville Bay	North Harmony	No	No
Tom’s Point – Indian Mounds	Stow	North Harmony	No	No
Bemus Park – Pottery Site	Lakeside Drive	Bemus Point	No	No
First State Fish Hatchery	Greenhurst	Ellery	No	No
Old Trolley Barns	Rte 394	Mayville	No	No
Old Trolley Station-Lighthouse Grocery	Rte 394	Chautauqua	No	No
Oddfellows Hall – Skillman and Wight	Main Street	Bemus Point	No	No
County Clerk Office – Grapevine	Erie Street	Mayville	No	No

Resource Name	Address	Town/Village	National Historic Register	State Historic Register
Restaurant				
Bush Home and Boathouse	35 W. Lake Street	Lakewood	No	No
Celoron Amusement Park Site	Boulevard and Dunham Streets	Celoron	No	No
Packard Cottages	W. Terrace Avenue	Lakewood	No	No
Watson Estate	Stow	North Harmony	No	No
Neits Crest – Ruth Jackson	Route 394	North Harmony	No	No
Busti Victorian Center		Busti	No	No
Grange Hall	Mill Street	Busti	No	No
Packard Estate	Terrace Avenue	Lakewood	No	No

H. Topography and Geology

The physical setting of the Chautauqua Lake communities is very attractive, with wonderful viewsheds and scenic locations. Chautauqua Lake is situated within a glaciated valley with steep slopes along much of its shoreline. Celoron, Lakewood, Ellicott and Busti are situated at the southeastern end of the Lake valley with lakeshores that either have gentle slopes or are flat. The Towns of Ellery, North Harmony, and Chautauqua all have steep slopes along a majority of their shoreline. Areas within these Townships associated with primary stream drainage channels have flat areas that have developed over time. Bemus Point (Bemus Creek), Maple Springs (Maple Springs Creek), Dewittville (Dewittville Creek), Hartfield (Big Inlet), Mayville (Little Inlet and Mud Creek), Lighthouse Point (Clear Creek), Prendergast Point (Prendergast Creek), and Stow (Ball Creek) are the lowland areas existing within these Townships.

Chautauqua Lake and its drainage basin are situated within a glaciated valley in the Allegheny Plateau. The lake itself and the unconsolidated sedimentary deposits of the area are products of the continental glaciations. The bedrock underlying the watershed for one-to-two thousand feet depth consists of shale and sandstones that were thought to be deposited ca. 350 million years ago in a marine environment. These marine mud was subsequently buried by more sediments, compacted and cemented into rock, uplifted and eroded into stream valleys prior to the onset of glaciations about 2 million years ago (Tesmer, 1963; Muller, 1963). There are a few limited bedrock outcrops within the Chautauqua Lake watershed, typically found in streambeds. Most of the bedrock lies below the veneer of glacial deposits (Tesmer, 1963). The glacial deposits in the center of the valley are several hundred feet thick, while those in the uplands are much thinner (10 to 100 ft thick) (Crain, 1966).

The Soil Survey of Chautauqua County (Puglia, 1994) provides information as to the types and areal extent of the soils developed on the glacial deposits in the study area. Many of the soils developed on recent stream gravels or on the older glacial stream gravels are highly permeable, allowing rainwater to soak in. Many of the hilltop soils, in contrast, are developed in glacial debris that is silt or clay and therefore impermeable. These impermeable soils yield more runoff from rainfall than other soil types.

Soils in the Chautauqua Lake watershed are formed by natural weathering of the glacial deposits rather than weathering of exposed bedrock. If soils formed directly on the top of bedrock, these soils would be more acidic because the bedrock contains no exposed limestone. Because the glaciers transported numerous fragments of limestone from the north, much of the glacial deposits and their topsoil's are less acidic. Thus the soils help to buffer the human-caused highly acid rainfall that takes place in Chautauqua County.

I. Water Quality

Chautauqua Lake is a 17-mile long water body with a 42-mile perimeter located in south-central Chautauqua County. At 1,308 feet above sea level, it has a surface area of 13,156 acres or 20.5 square miles. It is classified as a Class A potable water supply by the New York State Department of Environmental Conservation (NYSDEC), as it serves as a source of water for drinking, bathing, food preparation, fish propagation, fishing and contact recreational uses. The NYSDEC states that Chautauqua Lake “offers exceptional fishing for walleye, bass, muskellunge and several species of pan fish.” The lake also is a popular spot for winter ice fishing. The lake is divided into two basins, the shallow South Basin, and the deeper North Basin. It is fed through 11 major tributaries and many small ones. Studies indicate that Total Phosphorous and Nitrogen loads of Chautauqua Lake are high. The resulting aquatic vegetation growth and algae bloom limit the recreational use of the lake at times, particularly in the shallow south basin. See [Chautauqua Lake Watershed Map](#).

The Chadakoin River is the lake's outlet at its southwest corner, and flows through the City of Jamestown, the Town of Ellicott and the Villages of Falconer and Celoron. The outlet has approximately 461 acres of wetlands. The Chadakoin is classified as a Class C waterbody, suitable for fisheries and non-contact activities. In 1996, the New York State Department of Environmental Conservation indicated that this river is “stressed for fish propagation by metals from an unknown source(s).”

The eleven major tributaries of Chautauqua Lake comprising 76.4% the lake's watershed are: Ball Creek, Bemus Creek, Big Inlet Creek, Dewittville Creek, Dutch Hollow Creek, Goose Creek, Clear Creek, Little Inlet Creek, Maple Springs Creek, Mud Creek, and Prendergast Creek.

All are Class C waters, suitable for fisheries and non-contact activities, but for two exceptions. First, portions of Goose Creek and Prendergast Creek also have the (T) designation, indicating support of a trout population. Second, portions of Goose Creek and Dutch Hollow Creek are Class B waterbodies, thus are best used for swimming and other contact recreation, but not for drinking.

Studies have shown that Little Inlet Creek has “especially high concentrations of both P (phosphorous) and N (nitrogen).” Ball, Big Inlet and Goose Creeks tend to be high in P, while Big Inlet, Dewittville and Mud Creeks have higher N concentrations.

Efforts to reduce phosphorus loading in the lake, through the introduction of non-phosphate detergents, the establishment of the South and Center and North Chautauqua Sewer Districts, and the closing of the malted milk factory on Little Inlet Creek, have greatly reduced point source introduction of phosphorus. However, the “Chautauqua Lake – Entering the 21st Century: State of the Lake Report” indicates that non-point sources such as urbanization (deicing and stormwater discharges), atmospheric deposition, home fertilizers, periphery development and agriculture have raised the phosphorus load of Chautauqua Lake from the levels recorded in the 1970’s.

Erosion, sedimentation, Phosphorus and Nitrogen concentrations and the resulting impacts on aquatic vegetation and algae blooms are the greatest water quality issues facing Chautauqua Lake today. Apart from these issues the water quality of both Chautauqua Lake, and its tributaries, is satisfactory and should not pose constraints on future waterfront development with appropriate measures to control and mitigate them.

J. Protected Features

This section defines areas within the Chautauqua Lake Communities that have been protected from future development. This section consists of conservation easements, DEC wildlife management areas, State and public properties and Chautauqua Watershed Conservancy holdings.

Conservation Easements

A conservation easement is a legal agreement in which a landowner donates the development rights of the property to a non-profit land trust or governmental entity, thereby protecting the land in perpetuity. Limited development is warranted as long as it does not negatively impact the resources being protected. The landowner maintains ownership of the property and each property is managed according to the owner’s vision. The Chautauqua Watershed Conservancy is exercising an option to purchase a 900-foot conservation easement along the Chautauqua Lake waterfront on the Lutheran Camp property in the Town of Ellery (Chautauqua USGS Quadrangle). This conservation easement will protect 16-acres of undeveloped shoreline.

DEC Wildlife Management Areas

Wildlife Management Areas are state owned and managed properties designated for the preservation of wildlife species and habitat.

Tom’s Point is a 71.34-acre site with wetlands in the Town of North Harmony (Chautauqua USGS Quadrangle). It is on the Chautauqua shoreline close to the Stow Ferry Road and across the lake from Long Point State Park. It was purchased with funds from the 1986 Environmental Quality Bond Act. Tom’s Point was acquired by the State to preserve and manage wildlife, maintain waterway access, and preserve the natural shoreline.

Stow Farm - In December of 2002, the DEC purchased 18.6 acres (1,150 feet of lake shore) of the Stow Farm property on the southwestern edge of Chautauqua Lake in the Town of North Harmony (Chautauqua USGS Quadrangle). The Chautauqua Watershed Conservancy facilitated the purchase through the procurement of grant money to supplement State Environmental Protection Fund money. Although not yet officially designated by NYS, the purpose of acquisition was shoreline preservation and waterway access. This acquisition protects one of the most important fish and wildlife habitat sites remaining on Chautauqua Lake. It contains extensive wetlands and the waterfront contains the second longest band of water lilies on the lake. The Stow property is listed in the 2002 New York State Open Space Conservation Plan, which guides the State's preservation efforts.

Prendergast Point – NYS Fish Culture Station - The DEC maintains a fish hatchery, rearing ponds and a three-acre boat launch facility at Prendergast Point located on Prendergast Blvd. off Rt. 394 (Chautauqua USGS Quadrangle). The boat launch has been designated a Fisherman Access Site. This area is protected from further development by virtue of State ownership. Going south along the lake from the boundary of the boat launch site New York State protects the shoreline wetlands until it reaches the boundary of the Prendergast Creek Wetland Preserve. This shoreline area is designated by New York State as a State Fish Hatchery area.

Cheney Farm – A portion of the Cheney Farm was acquired by the NYS DEC for shoreline protection. The 10.3-acre site includes 1,200 feet of undeveloped shoreline on Chautauqua Lake, in the Town of Ellery. Money from the Clean Water and Clean Air Bond Act – 1996 was used to purchase the parcel. The parcel is one part of the original Cheney Farm. Another parcel from the original farm was acquired by DOT as the site of a permanent lake overlook, the balance of the farm remains in private ownership. This 10-acre site has not yet been designated by the state.

All of these properties owned by the State have been purchased under section 3-0305 of the Environmental Conservation Law.

State Lands

Long Point State Park - New York State, through the OPRHP, owns and maintains Long Point State Park, a three hundred and sixty acre site. This site has many outdoor recreational opportunities including some of the best fishing on the lake off the point near the old Minturn Mansion. Preserving and protecting this land from other development allows large numbers of the public to have access to open areas and nature.

Bemus Point DEC Launch - The New York State DEC also owns and maintains land within the Village of Bemus Point. This is a boat launch and parking area. This preserves space for public use in what is a very densely used and populated area of the WRA.

Public Lands

Other lands around Chautauqua Lake are areas protected by virtue of municipal ownership and their use as parks or protected areas. These are near or on the lake and they provide public access to the lake and/or a view of the lake and its surrounding area. Included in this are the Mayville Village Park, and its

adjacent rail bed hiking path; the Bly Hill Overlook in the Town of North Harmony, part of the Chautauqua County Park System; a small 60 x 147 foot lot (24-1-14) with lake frontage near Cheney's Point owned by the Town North Harmony; The Bemus Point – Stow Ferry landing area owned by the Town of North Harmony; The Busti Wetlands Preserve, Rte. 474 (this park is the only Town-owned area in the WRA dedicated to conserving wetlands and providing wetlands access), and The Busti Town Park at Vukote; Lowe Park, Richard Hartley Park, and Lakeside Community Park, all within the Village of Lakewood; The Burtis Bay Park in the Town of Ellicott on the south side of the lake; The Lucille Ball Memorial Park in Celoron and its adjacent boat launch; the Bird Sanctuary/Gifford Ave Wetlands in the City of Jamestown (not within the LWRA but adjacent); Bemus Park within the Village of Bemus Point; the Town of Ellery Town Park on Heinemann Road (not on the lake but only a short walk away).

Chautauqua Watershed Conservancy Holdings

As part of its conservancy, the Chautauqua Watershed Conservancy (CWC) has four wetland areas vital to the health of Chautauqua Lake.

Elm Flats Wetland Preserve is 83-acres of red maple and shrub swamp located in the Town of Chautauqua (Hartfield USGS Quadrangle) at the headwaters of Big Inlet Creek that flows into Chautauqua Lake. This “extensive wetland is typical and is the largest wetland tributary of Chautauqua Lake”. (Source: Chautauqua Lake Watershed Conservancy)

Prendergast Creek Wetland Preserve in the Town of Chautauqua (Chautauqua USGS Quadrangle) is a wetland shoreline along Prendergast Creek and Chautauqua Lake, which consists of only 6 acres. However, it includes 500 feet of wetland frontage on the lake and 435 feet of stream shoreline. Going north from the preserve along the lake, New York State protects the shoreline wetlands until it reaches the DEC Prendergast Point boat launch and fish hatchery. The 6 acres of preserve is part of a 97-acre wetland with the most biologically productive shallow water habitat on Chautauqua Lake.

Chautauqua Lake Outlet Wetland Preserve in the Town of Ellicott (Lakewood USGS Quadrangle), is a floodplain wetland bordering the Chautauqua Lake Outlet encompassing an area of 50 acres, which includes 2,880 feet of the north shoreline. The site is predominantly red maple swamp and shrub swamp. A variety of ferns, along with wetland herbaceous species such as Cardinal Flower and shrubs such as Buttonbush, compose the plant community here. This site provides good habitat for migratory birds, particularly waterfowl. Species that may be observed here include Piedbilled Grebe, Horned Grebe, Tundra Swan, Canada Goose, Common Merganser, Hooded Merganser, Red-breasted Merganser, Common Goldeneye, Bufflehead, and many others. The CWC plans to develop a parking area and walking path along the old railroad bed with a branch path going to the riverfront.

Ball Creek Park - In addition to its wetland holdings, the Chautauqua Watershed Conservancy has 5.5 acres of creek shoreline on Ball Creek on the north side of the Chautauqua Lake Veterans Bridge in the Town of North Harmony (Chautauqua USGS Quadrangle). This was purchased with the intent of developing a municipal park.

Houston Avenue Nature Preserve – A 1.3 acre sloping forest site located in the Village of Celoron (Lakewood USGS Quadrangle). This site contains forested area with vernal pools and a small marsh area that serve as breeding habitats for a variety of salamanders, frogs and toads.

Dobbins Woods Preserve in the Town of North Harmony (Panama USGS Quadrangle) is a 100-acre hardwood and conifer forest. It occupies a ridge top overlooking Chautauqua Lake off Bly Hill Road. Within the preserve is a small wetland out of which flow the headwaters of two Chautauqua Lake tributaries, Bly Creek and Cheney's Creek.



Agricultural Districts # 11. In addition, agricultural districts are located within the LWRP Towns outside the Waterfront Revitalization Area (WRA).

Some agricultural district lands are located adjacent to the WRA lands. Those adjacent lands are portions of agricultural district #8 in Sections 2, 4, 25, and 29 of the Town of Chautauqua, portions of agricultural district #6 in Sections 2, 5 and 6 of the Town of North Harmony, portions of agricultural district # 11 in Sections 14, 17 and 18 of the Town of Ellicott and portions in sections 9, 14 and 18 of the Town of Ellery. All the agricultural districts' lands within the LWRP Towns play an important role in maintaining open space, a viewscape and protecting wildlife habitat near Chautauqua Lake.

K. Natural Resources

This section builds on the previous section by further identifying land and water resources within the WRA where future development should be avoided. Reference should be made to Appendix E for a graphic display of landform.



Floodplains

Most floodplains are low areas adjacent to rivers, creeks, lakes and oceans that are prone to periodic flooding. The interaction of water and land and the action of water on the land produce soils, vegetation and drainage systems of floodplains that are unique and recognizable. In order to protect and avoid development within these floodways, the Federal Emergency Management Agency (FEMA) has designated 100 and 500-year flood zones. Areas in the 100-year flood hazard area have a 1% chance of flooding in any given year; within the 500-year flood plain, that occurrence interval is 0.2%. Areas prone to flooding are shown on Flood Insurance Rate Maps (FIRM maps) by community.

Flood maps and designations are documents officially adopted by communities and used for land use planning purposes, in addition to flood insurance purposes. However, flood maps do not show all areas

subject to flooding. The National Flood Insurance Program (NFIP) regulations allow FEMA to review and amend maps and Flood Insurance Studies (FIS) reports as warranted or when requests from community officials or involved property owners are received. Development within flood zones is not recommended and is prohibited entirely by some municipalities due to flood hazards.

The following is a list of FEMA designations and the 100 and 500-year floodplains as identified by FEMA on FIRM maps by community:

Federal Emergency Management Agency – Definition of Types of Flood Zones

Zone A	Areas of 100-year flood; base flood elevations and flood hazard factors are not determined.
Zone AE	100-year base flood elevation determined.
Zone A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
Zone B	Area between limits of 100-year flood and 500-year flood; areas of 100 year shallow flooding where depths are less than 1 foot. (On map – medium shading)
Zone C	Areas outside the 500-year flood. (No shading)
Zone X	500-year flood; areas of 100-year flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from 100-year flood.

Village of Celoron

FIRM Panel# 310135 0001B - March 1980

Within the WRA Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a strip of shoreline from the western corporate limits at the Busti Town line to the eastern corporate limits at the City of Jamestown. Outside the WRA School Creek is located in the southeastern part of the Village. The entire length of the creek within the Village limits is designated Zone A1 with Zone B surrounding certain areas of Zone A1. The remaining land in the Village is designated Zone C.

Town of Ellicott

Firm Panel # 361073 0017 A - August 1984

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from the Conrail tracks to Livingston Street, the corporate limits of the Village of Celoron on the south side of the lake. Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from where the corporate limits of the Town of Ellery and the Town of Ellicott meet and along the shoreline to the beginning of the City of Jamestown Corporate limits.

Village of Lakewood

FIRM Panel # 360142 0001B - November 1977

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a strip of shoreline from the Village's corporate boundary in the west to corporate boundary in the east. Inland and adjacent to this there are large areas of Zone B that follow the same shoreline and go inland in some places as far as the Village's southern corporate limits. Within the WRA, Zone A2 designation also encompasses the various tributaries going into Chautauqua Lake. The remaining Village property is designated as Zone C.

Town of Busti

FIRM Panel # 361106 0004 C - January 1993

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a strip of all the shoreline from the Town corporate limits on the west to corporate limits on the east. A large section of the Town, from Loomis Bay south across Rte 430, down to and including Rte 474, is designated Zone X. Goose Creek tributary that flows into Chautauqua Lake is surrounded by land designated as Zone AE as is Cottage Park Creek. An unnamed tributary between Sugar Grove and Second Ave. is surrounded by Zone A. The remaining land within Panel # 4 is designated Zone C.

Town of North Harmony

FIRM Panels # 361076 0016 B - February 1980

Panel # 16 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from the Town's corporate limits in the north to Tom's Point. At Tom's Point, Zone A2 widens to encompass all of the Point. The remaining land in Panel # 16 is designated as Zone C.

Town of North Harmony

FIRM Panels # 361076 0018 B, 0031 B, 033 B - February 1980

Panel # 18 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from just south of Tom's Point to just south of Quigley Park. From the mouth of Ball Creek east along the creek to Rte 394 is designated as Zone A2 and is surrounded by Zone B. At old Rte 394, Ball Creek's designation changes to Zone A, up to and beyond new Rte 394. The remaining land in Panel # 18 is designated as Zone C.

Panel # 31 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from just north of Cheney Point going south to Ashville Bay.

Cheney's Creek is designated as Zone A within the WRA. The remaining land in Panel # 31 is designated as Zone C.

Panel # 33 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a strip of all the shoreline from Ashville Bay to just east of the mouth of Goose Creek. The area around Goose Creek up to Rte 394 is Zone A2 and beyond Rte 394 Goose Creek is designated as Zone A3. Tributaries to Goose Creek are designated Zone A and Zone A1. An area just to the southeast of Goose Creek near route 74 and Magnolia and Mulberry Avenues is designated Zone B. The remaining land in Panel # 33 is designated Zone C.

Town of Chautauqua

FIRM Panels # 361071 0005 A, 0013 A, 0025 A - June 1984

Panel # 5 A

Big Inlet Creek is designated as Zone A. The majority of the land in panel #5 is Zone C.

Panel # 13 A

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses the shoreline at the mouth of Big Inlet Creek. At Whallon Street on the Big Inlet, the designation changes to Zone A4 and continues to Route 430. Between the mouth of Big Inlet and Route 430 there are pockets of Zone B adjacent to the A4 Zone. Most of the remaining land in panel 13 is Zone C.

Panel # 25 A

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a strip of all the shoreline within Panel#25. Zone A encompasses the land around several of the tributaries going into the Lake continuing up to and including Routes 394 and 430 respectively. The majority of the remaining land in Panel#25 is designated Zone C.

Town of Chautauqua

FIRM Panels # 361071 0035 A - June 1984

Panel # 35 A

Within the WRA Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a strip of all the shoreline starting in the north near Canterbury Road and ending at the Town's southeastern corporate boundary. Prendergast Creek is Zone A2 from the Lake to Route 394 and

past Route 394 it is designated as Zone A. The majority of the remaining land in Panel #35 is designated as Zone C.

Village of Mayville

FIRM Panel # 361059 0001C - January 1978

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a strip of all the shoreline from the north boundary of the Village to the southeastern boundary of the Village. Inland and adjacent to this are areas of Zone B that follow the same shoreline. The Mud Creek Tributary near the south edge of the Village is designated as Zone A2 from its mouth up to and beyond Route 394 (West Lake Road). Little Inlet Creek is Zone A2 from its mouth up to and beyond East Whallon Street. The remainder of the Village is Zone C except along Black Creek, an area of Zone A near Water, Pratt and Valley Streets, and a Zone B area to the west of Whallon Street.

Town of Ellery

FIRM Panels # 361072 0006 B, 0008 B, 0016 B - March 1980

Panel #6 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from the north boundary of the Town at the Crosswinds Development southeast to Midway Park. Inland and adjacent and to this within the WRA are areas of Zone B that run parallel to the same shoreline. The remainder of the land in Panel 6 is designated Zone C.

Panel # 8 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from the north boundary of the Town near Midway Park southeast to Long Point. Maple Springs Creek is designated as Zone A2 up to and just beyond Rte 430. This is also within the WRA. The remaining portion of the Town in Panel 8 is designated Zone C.

Town of Ellery

FIRM Panels # 361072 0016B, 0018 B, 0026 B, 0028 B - March 1980

Panel # 16 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from the north near Long Point and then continuing south along Bemus Bay to the Village of Bemus Point corporate limits. Zone A encompasses a tributary up to Route 430. Zone A3 and Zone A surround Bemus Creek up to and beyond Route 430. From the south line of the Village of Bemus Point south to the boundary of Panel 16, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline. Inland and

adjacent to this are areas of Zone B that run parallel to the same shoreline. The aforementioned is also in the WRA. The remaining land in Panel # 16 is in Zone C.

Panel # 18 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline near Williams and Nesmith Streets south to the shoreline area near Colburn Ave. At the mouth of Bemus Creek, Zone A2 changes into Zone A1 and then into A3. Inland and adjacent to this there are areas of Zone B that run parallel to the same shoreline. The remaining land in Panel #18 is in Zone C.

Panel # 26 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from an area near Colburn Avenue to the shoreline area near an access road off Route 430. Also within the WRA, a Zone A is located near two tributaries, Belleville Creek and Driftwood, ending at Route 430. Zone C encompasses the rest of the land in panel 18.

Panel # 28 B

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from an area near Griffith Bay south to the Sunnyside area. At Sunnyside, Zone A2 widens and encompasses almost all the land up to Rte 430. Inland and adjacent to these are areas of Zone B that run parallel to the same shoreline. Within the WRA, starting at the mouth of Dutch Hollow Creek and going to Route 430 there is an area of Zone A2 on both sides of the creek. Zone A also encompasses the creek up to I-86 and beyond.

Village of Bemus Point

FIRM Panel # 360133-0001B - Nov. 1977

Within the WRA, Zone A2 goes from the corporate limits in Chautauqua Lake to the lakeshore and encompasses a thin strip of all the shoreline from the north boundary of the Village to the south boundary of the Village. Inland and adjacent to this are areas of Zone B that follow the same shoreline and run parallel to Lakeside Drive but do not encompass it. There is an area designated as Zone A surrounding Bemus Creek where it flows through the Village. The remaining land in the Village is labeled as Zone C.

Wetlands

Wetlands are among the most productive ecosystems in the world. They are characterized by hydric soils, diverse hydrophytic vegetation, and numerous species of fauna. These water-laden lowlands yield high plant biomass that in turn provides food, habitat, and protection for many species of vertebrates

and invertebrates. In addition, wetlands are valued for their ability to improve water quality by filtering nutrients, sediments and minerals. In compliance with New York State's Freshwater Wetlands Act, the New York State Department of Environmental Conservation (NYS DEC) identifies and regulates wetlands greater than 12.4 acres or which have unusual local importance, as determined by the NYSDEC Commissioner. "Around every wetland is an adjacent area of 100 feet that is also protected and provides a buffer for the wetland.



The wetlands are identified on the basis of vegetation because certain types of plants out-compete others when they are in wet soils, so are good indicators of wet conditions over time. The characteristic plants include wetland trees and shrubs such as willows and alders; emergent plants such as cattails and sedges; aquatic plants such as water lilies; and bog mat such as sphagnum moss." (Source: DEC Website) Once identified, these wetlands are classified into one of four categories by the NYS DEC (NYS Freshwater Wetlands Act of 1975-6NYCRR Part 664) according to their diversity, inventory, and regulatory need. A Class 1 wetland is the highest rating and affords the greatest wetland benefits. "The U.S. Corps of Engineers also protects wetlands under Section 404 of the Clean Water Act, irrespective of size. There are no regulatory maps identifying wetlands protected by the U.S. Corps of Engineers under the Clean Water Act. The National Wetlands Inventory, prepared by the U.S Fish and Wildlife Service, is a good source of information about where the smaller wetlands occur, but are not regulatory maps and landowners should not rely on them exclusively." (Source: DEC Website)

The wetlands, within the designated Waterfront Revitalization Area that affect Chautauqua Lake, are located in many areas around the lake. See [Chautauqua County Hydrology Map](#). The Town of Chautauqua (Hartfield Quadrangle) within the WRA has several wetlands that influence Chautauqua Lake. The wetlands described as HF-4 (designated Class 2) consisting of 208.4 acres at the north end of the lake along with 71.4 acres of a second wetland HF-2 (designated Class 2) both surround the Big Inlet tributary. These wetlands comprise the largest wetland area within the WRA and are secondary to the larger complex of wetlands outside of the WRA known as the Hartfield Swamp. Going southeast along

the lake there is a wetland CH-5 (designated Class 1) just beyond the Village of Mayville's eastern boundary and behind Camp Merz with an area of 64.9 acres. Further south in the Town of Chautauqua at Prendergast Creek is wetland CH-2 (designated Class 2) with an area of 66.4 acres. The Shoreline of this area has been designated by the NYS DEC as a State Fish Hatchery area.

The Town of North Harmony (Chautauqua Quadrangle) contains a wetland at Tom's Point, CH-1 (designated Class 1) is 28.2 acres in area. The wetland is designated as a Wildlife Management area by NYS DEC. Adjacent to Ashville Bay (Lakewood Quadrangle) is another wetland, LW1 (designated a Class 1) with 28.8 acres of land.

In the Town of Busti (Lakewood Quadrangle) an 80.4-acre wetland, LW-2 (designated Class 2) is located on the south side of Rte. 394 at Vukote. Also at Rte 474 near Cottage Park there is an 89.4-acre wetland, LW-8 (designated Class 2). Both of these are part of tributaries flowing into Chautauqua Lake. The Busti Wetland Preserve is 44-acres of the second wetland. In the Village of Lakewood there is a 20.5-acre wetland, LW-3 (designated Class 3) situated between the Railroad line and Summit Avenue near Shadyside Ave. The Town of Ellicott (Lakewood Quadrangle) contains a 162-acre wetland, LW-1 1 (designated Class 1) at the lake outlet into the Chadakoin River. The Chautauqua Watershed Conservancy owns a 23-acre section of that wetland which is maintained as a nature preserve.

Going northwest along the lake into the Town of Ellery just west of the Town Line Road, there is a 54.4-acre wetland, LW-6 (designated Class 2). It lies between Greenhurst and Elmhurst near Sunnyside.

Steep Slopes

Steep slopes pose a unique set of problems. They are areas that can be prone to erosion and instability. They can produce runoff levels that carry large sediment and nutrient loads into downstream waterways. Yet since they provide scenic views and even panoramic views, developers would like to use them. There is a need to manage or limit the intensity of use so that development can be harmoniously, appropriately and safely located on steep slopes. This is to protect surface waters from sedimentation, turbidity, runoff of storm water, and effluent from sewage disposal systems; while maintaining ecological balance. Management of steep slopes should also be used in some cases to keep the natural setting in place by prohibiting all development.

Many communities across the state have ordinances in place that manage the steep slope problem and/or have zoning overlay districts that come into play when development takes place in an area designated a steep slope area. None of the communities in the LWRP have any steep slope ordinances or provisions within zoning districts adjacent to the lake in place at this time. Each Chautauqua Lake community should consider evaluating the need for a steep slope ordinance that at a minimum requires site plan review and a sediment and erosion control plan for projects on sites with a 15% or greater slope.

The Towns of North Harmony, Chautauqua and Ellery and the Village of Mayville all contain steep slopes within the WRA. Specifically, slopes in the 15-25% range exist in between Warner and Sunset Bays in North Harmony and in Long Point State Park. In addition slopes in the 8- 15% range on the southern side

of the Lake exist between Wahmeda and the eastern side of the Chautauqua Institution, from just west of Magnolia to the eastern side of Victoria and in Quigley Park and in the area along Bly Bay. On the northern side of the Lake slopes in the 8-15% range exist between the eastern portion of Shorelands in the Town of Chautauqua and Maple Springs in the Town of Ellery, at Sunset Bay, along Lakeside Drive in Bemus Point and from Crestview to Driftwood. The large areas listed are interspersed with smaller areas that have slopes in the 0-3% and 3-8% and are more appropriate in some cases for development.

L. Environmentally Sensitive Features

There are some landscape features that pose a threat to future development in the Chautauqua Lake LWRP. Solid waste landfill, wastewater discharge, sewage treatment facilities, hazardous waste, and dredge spoil spots are all potential threats to the health of the environment.

Hazardous Waste Sites

Active hazardous waste sites include those sites that are currently accepting hazardous waste for disposal. These sites are regulated by the Environmental Protection Agency (EPA) and require disposal permits. There are no active sites within the Chautauqua Lake LWRP.

Inactive hazardous waste sites once accepted hazardous materials for disposal but are no longer in operation. New York State Department of Environmental Conservation (NYS DEC) has classified these locations based on the severity of the contamination and the risk of harm to the surrounding resources. Classifications range from one to four, a Class one designation indicating the highest degree of concern. Currently, the Chautauqua Lake Communities have one inactive hazardous waste site not within the WRA. It is the Dinsbier Road Landfill in the Town of Chautauqua, now designated Class 3 by the DEC. This particular site should be noted because the general movement of ground water from the site extends into Dinsbier Creek, which is a tributary of Chautauqua Lake.

Wastewater Discharge Facilities

The New York State DEC issues State Pollution Discharge Elimination System (SPDES) permits to facilities that discharge to surface waters or discharge more than 1000 gallons per day to subsurface soils. The primary facilities for wastewater discharge within the WRA are the South and Center Chautauqua Lake Sewer District, the North Chautauqua Lake Sewer District and Chautauqua Utility District. Chautauqua Estates, Bayberry Landing and the Chedwell Club condominium complexes are all located outside of established sewer districts in the north basin. Chautauqua Estates and Bayberry Landing have installed a secondary package plant to address wastewater generated by the development.

The Chedwell Club condominiums are served by a septic system with a sand filter. Other facilities, such as private residences, commercial establishments and institutions also exist in the region. Too much wastewater discharge into a water body can cause high nutrient flux, leading to algal blooms and fish kills. The chart on the following page identifies all properties within the Chautauqua Lake Waterfront Revitalization Area (WRA) that currently discharge to surface waters and require SPDES permits.

SPDES Permits within the Chautauqua Lake WRA

Dist.	Name	DED ID	SWIS	Location	Municipality
21308	Bayberry Landing	9062800005	628	5301 E. Lake Road	Dewittville
21317	Chautauqua Utility Dist Stp	9062800015	628	South Lake Dr	Chautauqua
21327	North Chautauqua Lake Sd Wwtp	9062800027	628	Clark St	Mayville
53896	Mallard Cove Subdivision	9062800073	628	East Side Nys Rt 394	Chautauqua
53896	Brookwood Subdivision		628	East Side Nys Rt 394	Chautauqua
8503	Chautauqua Fish Hatchery	9062800098	628	5875 Prendergast Rd	Mayville
214009	Chautauqua Heights Sewer Dist.	9062800122	628	Rte 17	Chautautqua
66857	Crosswinds Subdivision		628	Route 430	Ellery
46034	Lake Chautauqua Lutheran Camp	9063600049	636	Rt 17 - 1 Miles Morth Of Midway Park Opposite Davies Motel	Maple Springs
66857	Chedwel Club	9063600060	636	Route 430	Ellery
21441	South & Center Chautauqua Lake WWTP	9063800053	638	Gifford Ave	Celoron
Source: Chautauqua County Department of Health, Division of Environmental Health					

SPDES Permits within the Chautauqua Lake WRA

Solid Waste Landfills

The Chautauqua Lake LWRP Communities have one active solid waste facility within their boundaries. It is the Chautauqua County Landfill located in the Town of Ellery. The landfill is outside the Waterfront Revitalization Area and outside the watershed that encompasses Chautauqua Lake.

Dredge Spoil Areas

There has been numerous times over the last 200 years that tributaries and Chautauqua Lake itself have been dredged to help navigation. Historically dredging has helped improve navigation not only for commerce but also for fisherman and recreation on Chautauqua Lake. One notable dredging job was the removal of sediment and debris from the outlet at McCrea Point upstream to Fluvanna in the years from 1888 to 1891. New York State paid to have a channel dredged 60 feet wide and 10 feet deep to improve steamboat navigation. It is interesting to note that the spoils were put on barges, transported to Burtis Bay, and dumped there. As is currently noted in 2003, Burtis Bay is shallow, and at times can be weed choked, and difficult to navigate. In 1899 federal law, the Rivers and Harbors Act gave the Secretary of War, acting through the Army Corps of Engineers, the power to regulate any excavation or construction in any navigable waters under United States authority. Section 404 of the federal Clean Water Act reinforced this federal power with the Secretary of the Army acting through the Chief of the Army Corp

of Engineers being given the power to issue permits for any category of activities involving discharges of dredged or fill materials.

Many other dredging projects have taken place over the years around Chautauqua Lake. As an example, in 1998 the Town of Busti obtained permits from the New York DEC (#9-0622- 00091/00001) and the Army Corp of Engineers ((#98-975-0040 (0)) to dredge the Vukote Canal system. This was completed in 1999. It provided recreational watercraft access to Chautauqua Lake from the cottages in the area and provided for the placement of the spoils in a permitted area. The proposed plan for dredging the two man-made canals (tributaries to the lake) called for a dredge depth of 6 feet, and a width of 12 feet, and a length of just over 3,300 feet. The dredge spoils were placed as fill in the adjacent Busti Town Park. An amended plan changed the dredge depth to 8 feet at summer lake levels. At an 8-foot depth, the spoils measured 11,000 cubic yards of sediment.

Bass Island Oil & Gas Reserves under Chautauqua Lake

The reserves under the lake, if accessed without appropriate safeguards, could prove to be detrimental to the environmental health of Chautauqua Lake. New York State owns the mineral rights under Chautauqua Lake. It is the policy of New York State at this time not to lease the drilling rights for oil or gas within any bodies of water under its jurisdiction. The state also restricts the drilling of gas or oil wells within 650 feet of a shoreline.

M. Fish and Wildlife

Fish

Chautauqua Lake offers exceptional fishing opportunities:

- Muskellunge
- Walleye
- Bullheads
- Crappie
- Yellow Perch
- White Perch
- Pumpkinseed
- Bluegill
- Bass – Largemouth, Smallmouth

Chautauqua Lake supports a sports fishery that ranks fourth in New York State in angler use with estimated annual expenditures exceeding 11 million dollars (Connelly et. al. 1998).

Muskellunge historically have been an established part of the Chautauqua Lake fishery with many game class 40–50 inch muskellunges caught each year. Minimum keeping size for muskellunge in the lake is 40 inches. New York State Department of Environmental Conservation annually stocks the lake with muskellunge fingerlings. Natural reproduction contributes only 25% or less of adults captured in test nets.

Chautauqua Lake ranks among the top bass lakes in New York State. There is a Chautauqua Lake Bass Tournament held every year. In addition, numerous bass clubs sponsor club sanctioned bass tournaments each year on the lake. The lake offers shallow weedy areas for largemouth bass and deep drop-offs, gravel bars and weed lines for smallmouth bass.

Walleyes, inhabiting the lake's gravel shoals, are another sport fish found in Chautauqua Lake. The best walleye fishing occurs during the nighttime hours or early morning in the month of May. The walleye fishing season runs from the first Saturday in May through March 15th. Good areas for walleye are Mission Meadows, Prendergast Point, Long Point, Cheney's Farm, Bemus Bay, Tom's Point, and Warner Bay. Trophy size walleyes (exceeding eight pounds) can be caught on occasion but most run 15–18 inches.

Trout are also found in the tributaries going into Chautauqua Lake. Goose Creek is the most sought after trout fishing stream tributary to the lake. Goose Creek is stocked annually with 3,800 brown trout yearlings and 700 two year old brown trout, over a 9.5 mile section.

Ice fishing or “hard” water angling is a winter opportunity for fisherman. Walleye and panfish are the primary catches. Access during the winter months is available off Mayville Park, Prendergast Point, Bemus Point, Lakewood Community Park and Long Point State Park. The Chautauqua County Sports Fishery Advisory Board would like to see additional sites developed for ice fishing access. Currently many additional informal access points are used to pursue ice fishing.

Consumption limits because of contaminants associated with fish coming out of the Great Lakes is not a problem in Chautauqua Lake or its tributaries. The New York State Department of Health provides all fish consumption advisories for the State. Although there are no specific fish consumption advisories for Chautauqua Lake, it is advisable to follow the statewide advisory of “eat no more than one meal per week of fish from any freshwater in the State.”

Wildlife

As a rural area, Chautauqua County has an abundance of wildlife. Even close to Chautauqua Lake where there is a great amount of human habitation, wildlife manages to find its niche. No statewide mammal surveys have been done; consequently, there is no definitive list of mammals that inhabit the Chautauqua Lake area. There are of course the usual raccoons, ground hogs, turkey, squirrels and whitetail deer. They seem to live close and thrive near inhabited areas including the Chautauqua Lake area. The brown bat is common around the lake as is the hoary bat. Human livability in the summer months around the lake is due in some part to the bats' voracious appetites for mosquitoes. Mink are common on Prendergast Creek. Muskrats and River Otters (reintroduced into Chautauqua County in the late 1990s) live in the tributaries and wetlands in the county. Roaming throughout the county and sometimes interacting with humans are black bear and coyotes (some experts think that the canid who roams New York State's forests are a cross between wolf and coyote). Black Bears have been sighted in the Towns of Busti, North Harmony, Chautauqua and Ellery.

Birds

Birds, especially waterfowl, use Chautauqua Lake (latitude 79 degrees 23 minutes west, longitude 42 degrees 9 minutes north) as a stopover in their migration travels. According to the Audubon Society, at least 270 species of birds have been documented in the Chautauqua Lake area. The Audubon Society goes on to note that the primary habitats are lacustrine and riverine, surrounded by deciduous trees, shrub/scrub, grassland and cultivated field. The land use is primarily recreation and tourism and secondarily urban, industrial, utility and wildlife conservation. The potential threats to the bird population around Chautauqua Lake are pollution, recreation, development and overuse.

N. Tourism Resources

Chautauqua Lake and the Chautauqua Institution are major attractions to the surrounding tri-state area and Canada. In addition, Chautauqua County contains many “world class” and local historical, cultural and recreational attractions. Chautauqua County is recognized as an area where people can experience a mix of outdoor recreation, entertainment, the arts and cultural endeavors. Chautauqua County is within three and a half hours drive of four major US cities and Toronto, Canada. Seven major highways; US Rte’s I-86 and I-90, and State Rte’s 60, 20, 5, 430, and 394 serve the County and link its tourism resources.

The existing pattern of attractions surrounding Chautauqua Lake provides a strong basis for locating tourism-related development in the Chautauqua Lake region. Sleeping accommodations, interpretive / historical facilities or products, at locations such as the Minturn Mansion, and/or other points of destination and events are needed to attract more tourists to the region. Such endeavors should focus not only on the prime summer season but also on promoting uses of the lake region during the winter season.

The Chautauqua Lake Communities contain many of the amenities needed to support tourist trade. The communities offer several general dining opportunities such as restaurants, diners, café’s and bars. In addition, the communities offer lodging in the form of cottages, condominiums, vacation homes, camps and some hotels. These services support attractions both within and surrounding the Chautauqua Lake Communities.



Housed at the main gate of the Chautauqua Institution, the Chautauqua County Visitors' Bureau (CCVB) coordinates marketing and tourism development for the County.



The CCVB interacts with tourism and development agencies in Allegheny and Cattaraugus counties to market the region through travel guides, calendars and advertising campaigns. CCVB's web site www.tourchautauqua.com provides visitors all the necessary information needed to locate and access local points of interest and events.

The Chautauqua Lake LWRP Communities have always been a large portion of the tourism industry in Chautauqua County. Though there are a number of attractions in the LWRP area for visitors and resident alike, there are still opportunities for more tourism products to be developed.

As tourism evolves nationally, as a prosperous industry, the Chautauqua Lake communities will be well positioned to take advantage of this opportunity. Working within the framework of the LWRP the communities hope to enhance and expand existing attractions and develop new areas of interest in anticipation of these opportunities.

Chautauqua Lake Tourism Resources

Type	Resource	Location
Cultural	CulturalChautauqua Institution	Chautauqua
	– Athenaeum Hotel	
	– Amphitheater	
	Bemus Point Library	Bemus Point
	Mayville Library	Mayville
	Smith Memorial Library	Chautauqua Institution
Historical	The Point Chautauqua area - a Frederick Law Olmstead Community	Point Chautauqua
	Lenhart Hotel	Bemus Point
	Mayville Train Depot / Historical Society	Mayville
	Chautauqua Institution Walking tours	Chautauqua Institution
	Devon Taylor Walking Tours	Mayville
	Busti Mill & Historical Society	Busti Hamlet
	Chautauqua Lake	Chautauqua Lake Region
Recreational	Bass and Muskie Fishing	Chautauqua Lake
	Jamestown Savings Bank Ice Arena	Jamestown
	Chautauqua Belle Paddle Wheel Boat	Mayville
	The Stow-Bemus Ferry	Bemus - Stow
	Summer Wind Tour Boat	Celoron
	Chautauqua Golf Club	Chautauqua Institution
	Chautauqua Point Golf Course	Rte 430 Point Chautauqua
	Willow Run Golf Course Rte	394 Magnolia
	Bemus Point Golf Course	Bemus Point
	Webb's Miniature Golf	Mayville
	Long Point State Park	Ellery
	Midway Amusement Park	Maple Springs
	Hartley Park	Lakewood
	Lakeside Community Park	Lakewood

Type	Resource	Location
	Lucille Ball Memorial Park	Celoron
	Mayville Village Park	Mayville
	Chautauqua Marina	Mayville
	Creative Marina	Chautauqua
	Holiday Harbor Marina	Celoron
	Smith Boy's Marina	Busti
	Ashville Bay Marina	North Harmony
	Snug Harbor Marina	Chautauqua
	Long Point Marina	Ellery
	Shore Acres Marina	Ellery
	Busti Wetland Preserve	Busti
	Dobbin's Woods Preserve	North Harmony / Stow
	Tom's Point	Stow
	Kayak and Canoe Outfitters	Ashville
	Bemus Point Casino	Bemus Point
	DART Airport and Aviation Museum	Chautauqua
	Prendergast Point Fish Hatchery Tour	Chautauqua

In addition, the County contains numerous other points of interest to tourist and visitors such as:

Type	Resource	Location
Cultural	Reg Lenna Civic Center	Jamestown
	The Roger Tory Peterson Institute	Jamestown
	The Lucy – Desi Museum	Jamestown
	The Robert H. Jackson Center for Justice	Jamestown
	The Lily Dale Spiritualist Community	Cassadaga
	Lucile M. Wright Air Museum	Jamestown Airport
	SUNY Fredonia - Rockefeller Arts Center	Fredonia
	Amish Communities	Clymer/Sherman/Westfield
	Adams Art Gallery	Dunkirk
Historical	Dr. Barker History Museum	Fredonia
	Dunkirk Historical Museum	Dunkirk
	Fenton History Center	Jamestown
	Harmony Historic Society House	Harmony
	McClurg Mansion	Westfield
	1891 Opera House	Fredonia

Type	Resource	Location
	Barcelona Light House	Westfield
	Dunkirk Light House	Dunkirk
Recreational	Chautauqua County Fair	Dunkirk
	Peak and Peek NIKE Golf Tournament	Mina
	Westfield Arts and Craft Festival	Westfield
	Gerry Rodeo	Gerry
	Chautauqua Wine Trail	Lake Erie Communities
	15 Additional Golf Courses	Chautauqua County
	Cockaigne Ski Resort	Ellington
	Peak n Peek Ski Resort	Mina
	Findley Lake	Findley Lake
	Cassadaga Lake	Cassadaga
	Bear Lake	Stockton
	Lake Erie	Northern Chautauqua County
	Panama Rocks Scenic Park	Panama
	Rails to Trails Walking & Biking Paths	Chau., Mayville, Portland
	County Overland Trails	Chautauqua,
	Burgeson Wildlife Sanctuary (Audubon)	Kiantone
	Bird flyway areas in the county	Lake Erie, Chautauqua Lake
	Veterans park	Dunkirk
	I-86 Overlook	Ellery
	Luensan Overlook Park	Portland
	Erlandson Overlook Park	Carroll
	Lark Erie State Park	Portland

O. Scenic Views

In 1987, the President’s Commission on Americans identified scenic beauty as the most important criterion Americans use in choosing parks and recreation areas.

Many communities are choosing to protect the special view sheds and visual characteristics that give an area a distinctive sense of place. Some of the tools that can be used to protect these areas include: height and use restrictions, signage standards and landscaping regulations.

Chautauqua Lake LWRP communities have a number of scenic viewsheds along roadways, waterways and surrounding hillsides. By taking the step of identifying these specific viewsheds, the LWRP

Communities will be able to help protect panoramic views in and near the Waterfront Revitalization Area. Special areas of scenic value are highlighted below. See [Chautauqua Lake Viewing Points Map](#).

Existing Scenic Views

Village of Celoron

- Lucille Ball Memorial Park (41)
- Old Celoron Amusement Park Site (42)
- West ends of Duquesne, Chadakoin & Livingston Sts – Panoramic (43)

Town of Ellicott

- Burtis Bay Park (39)
- Longview Avenue – West Ellicott (40) Village Park to West Livingston (43)

Village of Lakewood

- Hartley Park (34)
- Chautauqua Lake Yacht Club (35)
- Lake onto Historic Packard Estate & Hartley Park Historic Packard Estate (33)
- Winchester Dock – Sunsets (31)
- RR Tracks at Chautauqua Ave (straight line view east) (36)
- Lake Street from Waldemere to Packard Way (32)
- Chautauqua Ave (37)
- Rod & Gun Club Property (38)
- Waldemere & Sunset Parks (30)

Town of Busti

- Rte 394 onto Goose Creek (27)
- Grandview (29)
- North of Hunt Road between Ridge Rd and Big Tree Rd Along Rte 394 (Low rise buildings accommodate view of lake) (28)
- Southwestern Blvd south of Hunt Rd (44)

Town of North Harmony

- Tom's Point to Long Point (22)
- Stow Ferry – Up & Down Lake (23)
- Ramsey Road (Best view at Rte 394 & Ramsey Rd) (24)
- Cheney's Point (25)
- Bly Hill Road Overlook (26)

Village of Mayville

- Rte 394 – down hill to lake and down the lake (2)
- RR right of way along Mayville shoreline and down lake (3)
- Lakeside Park down the lake (4)

Town of Chautauqua

- Burdick Road (1)
- Point Chautauqua Golf Course (5)
- Hills at back end of Camp Merz Boy Scout onto lake (6)
- Lake onto shoreline at Chautauqua Institution's Bell Tower (7)
- Footbridge over ravine between Hawthorne and Park Avenues in Chautauqua Institution (8)
- Rear of Chautauqua Golf Course (9)

Village of Bemus Point

- Ferry Landing in Bemus (13)
- Village Park toward Bemus Bay (14)
- Casino – View from lake to Casino and view from Casino up and down lake (15)
- Boat Launch Area (16)

Town of Ellery

- Lutheran Camp Property – Panoramic View (10)
- Long Point State Park (any part of lakefront especially the point) (11)
- Lower Bayview Road (12)
- Maple Grove Rd at the Samuelson Farm (17)
- Along Rte 430 to Lake (18)
- I-86 Overlook (19)
- Cheney Farm – View of Lake & Blue Heron & Red Tail Hawk habitats (20)
- Upper Driftwood – View of Entire Southern Basin (21)
- Veteran's Memorial Bridge (45)

Threats to Scenic Views

- Growth of fields (trees) at Cheney Farm if not maintained
- Vacant agricultural lands
- Development of Grand View area
- Light Pollution

P. Zoning

All of the Chautauqua Lake communities have zoning ordinances in place that govern land use within their respective boundaries.

Village of Celoron

The Village has seven zoning categories including industrial, commercial, shoreline commercial, cultural recreation, multi-residential, residential and floodplain. Land within the WRA boundary includes parcels governed by all classifications. In addition, a supplemental section on lakeshore regulations governs parcels directly adjacent to the shoreline of Chautauqua Lake. See [Village of Celoron Zoning Map](#).

Uses within the residential district are appropriate for the WRA area. A majority of the residential uses in the multi-residential district will have a minimal and appropriate impact upon the WRA area. However, one use, mobile home parks, may not be an appropriate use in the portion of the multi-residential zone included in the WRA.

Celoron's prime business zone is located along Boulevard Street, which separates the shoreline commercial and commercial districts. Shoreline commercial uses allowed are marinas, boat storage, boat houses, boat sales, and other water related commercial uses, while the commercial district allows traditional retail shops and municipal offices, appropriate for the WRA area. Although a majority of uses in both districts help meet the communities' long-term goals, there are some uses that should be reviewed such as nursing homes, used auto sales, shopping center / mall and department stores. These uses may not be appropriate for the commercial or shoreline commercial zone within the WRA.

The cultural recreation district primarily encompasses the Lucille Ball Memorial Park and is limited to uses that primarily provide a public benefit such as public parks, libraries and public tennis courts. Lands within the WRA marginally enter into the industrial district along School Creek between Chautauqua Avenue and Jackson Avenue. Uses within this district, while not appropriate on a large scale within the WRA, are appropriate in this situation due to the limited scale and potential for impact.

The floodplain district and lakeshore regulations overlay the other existing districts. These districts affect lands within the WRA as determined by the Flood Hazard Boundary Map (September 20, 1974) and the lakeshore (as established by elevation of 1310 feet mean sea level). Uses within these overlay districts are restricted by additional setback requirements from the lakeshore, docks restrictions, and construction guidelines.

Town of Ellicott

The Town has eight zoning districts, one of which is in the WRA boundary. The area within the boundary is also governed by a floodplain overlay district and Chautauqua Lake shore regulations.

See [Town of Ellicott Zoning Map](#).

The southern and northern portions of the Town of Ellicott, located with the WRA, are zoned residential. All uses allowed within this district will promote the objectives of the LWRP. The segment of the Town of Ellicott located along the northern shoreline of Chautauqua Lake is adjacent to a mercantile district. The mercantile district encompasses NYS Route 430, a large wetlands tract and a portion of the shoreline of the Chadakoin River. Most uses allowed within the district will be limited to the area adjacent to NYS Route 430 due to the wetlands conditions. These uses are complementary to the WRA due to their limited location.

Village of Lakewood

The Village has four zoning categories within the WRA area including single-family residential (R-1), multiple-family (R-2), retail business (B-1) and highway business (B-2). The uses allowed within the WRA are also governed by a floodplain overlay district and Chautauqua Lake shore regulations. All lands in the

industrial and mobile-residential (R-3) districts are outside of the WRA. See [Village of Lakewood Zoning Map](#).

A majority of the WRA area is comprised of single-family residential and multiple-family residential districts. Uses are limited to residential and public uses in the R-1 district. The R-2 allows a small amount of business in the form of home occupations, professional offices, bed and breakfast, and nursing homes. All uses allowed in the residential districts in the WRA are appropriate.

The B-1 district along Chautauqua Avenue is the Village of Lakewood's downtown revitalization area. Traditional downtown retail uses, that are compatible with the LWRP, are allowed within this district. However, it is suggested that the list of allowed uses be reviewed to examine such uses as shopping centers, nursing home, building material retail, auto sales and vehicle service station. These uses, although appropriate for some commercial areas, may not enhance the community's investment or promote the goals established in the LWRP.

The B-2 district is located across from the end of Fairdale Avenue on the north side of Summit Avenue. This B-2 district currently is comprised of the Lakewood Rod and Gun Club, which are utilized for private meetings, meals and membership activities. The current use is an appropriate use for the WRA area. Some of the uses allowed in a B-2 district may not be appropriate for this location if future owners desire to change the use of the property.

The floodplain district and lakeshore regulations overlay the other existing districts. These districts affect lands within the WRA as determined by the Flood Insurance Rate Map (November 2, 1977) and the lakeshore (as established by elevation of 1310.5 feet mean sea level). Uses within these overlay districts are restricted by additional setback requirements from the lakeshore, dock restrictions, fence conditions and construction guidelines.

Town of Busti

The Town has ten zoning districts; of which four cross the WRA including conservation – residential, multi-family residential, gateway commercial, and lakeshore commercial. Busti requires site plan review for the site development of any lot or lots prior to the issuance of any development permit except for single family housing and certain specified residential units. See [Town of Busti Zoning Map](#).

One of two conservation–residential zones within the WRA is located along NYS Route 474. The uses allowed in the zones such as single and two-family dwellings, wildlife sanctuaries, parks, camps, golf courses, forestry and agriculture are consistent with conservation and open space objectives. The second conservation – residential zone, located along NYS Route 394, flanked by Summit Avenue and Fourth Street, has potential for conflict from uses in the adjacent highway commercial zone. Buffering should be a key consideration for future development in either zone in this area.

The lakeshore commercial zone southwest of Lakeside Avenue along NYS Route 394 contains uses such as marinas, boat repair, storage and servicing, hotels, boat houses, piers, wharfs, docks, and retail for water-related goods. All of these uses are consistent with the objectives of the community and LWRP.

The gateway commercial zone in the Town along NYS Route 394 is the only gateway zone in the Lake communities. The zone allows typical gateway uses such as hotels, food products, gifts, eating and drinking establishments and shops. This zone's objective is to stimulate and encourage tourism in the area and is consistent with goals set forth by the community.

The Town zoning ordinance also has lakeshore regulations, which impose additional setback requirements, and regulate both floating docks and dock placement. In addition, the Town has separate ordinances that govern flood damage and the retaining walls at the Vukote Canal development.

Town of North Harmony

The Town has the most complex zoning ordinance within the study area in terms of the total number of districts with 32 zones being located within the WRA. The Town has seven zoning categories including single-family residential (R-1), duplex multiple-family (R-2), multiple-family (R-3), multiple-seasonal residential (R-4), hotel multiple-family (R-5), agricultural-residential (AR), and commercial (C-1). See [Town of North Harmony zoning Map](#).

A majority of the WRA area is dedicated to residential zones R-1 through R-3 with 21 of the 32 zones falling into these categories. Uses within these districts are minor variations of each other and allow uses that range from single-family, boat storage, cluster-residential (R-1) to multiple dwelling, nursing home, bed and breakfast, recreation camp (R-3). All uses within these districts are consistent with objectives expressed by the community in public hearings for the LWRP.

An R-4 district is located along NYS Route 394 at the northern most section of the Township. Uses within this district not found in other residential districts (R-1 to R-3) are marinas, cabins / cottages, travel trailer parks, mobile homes and mobile home parks. Most of the uses allowed are consistent with the objectives set forth for the zone in question but the allowance of mobile home parks in this location may need to be examined.

The only hotel multiple-family (R-5) zone is located in the Stow area adjacent to a commercial zone. This use is compatible with the development goals of the I-86 interchange at Stow.

The agricultural – residential (AR) zones are located along the Town of Busti border south of NYS Route 394. The zones encompass an area that had traditionally been agricultural in nature and has been changing to residential uses. Many open spaces exist with some panoramic views of the lake. Traditional AR uses are allowed in the district such as dwellings, agriculture, roadside stands, golf courses, home occupations, riding academies and recreation camps. Uses within the district are consistent with the development plans identified in the LWRP. Commercial zones have been established at locations that have existing retail activity. There are five commercial zones in the WRA. The first zone is in the Ashville business district; the second zone is bordered by NYS Route 394 (the Township's western border) Chautauqua Lake and encompasses Goose Creek; the third zone is at the Stow interchange along NYS Route 394; the fourth zone surrounds the Niagara Mohawk facility; the final zone is located in Magnolia along NYS Route 394. Uses allowed by right or by a special use permit cover a wide variety of retail, professional and service businesses as well as general limited industry. Due to the varied geographic

area and settings that these commercial districts are located in it may be appropriate to customize districts so the allowed uses more closely fit the goals and objectives of the community for that particular area.

Town of Chautauqua

The Town has six zoning categories within the WRA including residential, residential-lakeside, residential-recreation, residential-agricultural, business and the Chautauqua Institution. The area within the WRA is also governed by a separate flood damage protection law and a supplemental section within the zoning ordinance regulating lots on Chautauqua Lake. See [Town of Chautauqua Zoning Map](#).

A majority of the WRA area in the Town of Chautauqua is dedicated to residential zones. The most restrictive of these is the residential district, which encompasses the area of Point Chautauqua, Prendergast Point, and an area south of the Chautauqua Institution. Uses in these areas are limited to single family dwellings, private boathouses and docks, governmental activities and home occupations. The residential-lakeside zone, which comprises the largest area of the WRA, allows golf courses, antique shops, condominiums, country inns, and limited agriculture in addition to the uses previously listed. All residential zones, and the uses allowed within, enhance the objectives of the Town.

The Town has three business zones within the WRA. The first business zone is located south of the Chautauqua Institution along NYS Route 394 and is comprised of hotels, cottages and realty offices. The second zone is located in Hartfield around the intersection of NYS Route 430 and Plank Road and consists of a convenience store, restaurant and gift shop. The third zone is located in Dewittville and has a restaurant, greenhouse/nursery, boat-servicing operation, and post office. Other uses allowed are retail and wholesale establishments, community services, service businesses, and manufacturing. All uses, except for manufacturing, meet the Town's development objectives in the WRA area.

The most unique zone in the Town is the Chautauqua Institution zone. Property within this zone is exempted from the Town of Chautauqua Zoning Law. Chautauqua Institution has devised its own set of standards to which property owners within the zone must comply. This is unique because of the Institution's ability to solely govern land use issues within its boundaries.

Village of Mayville

The Village of Mayville is currently undergoing a revision of its zoning ordinance. These revisions may affect some of the districts as described below. The districts described are based on a map received from the Village on July 23, 2002. See [Village of Mayville Zoning Map](#).

The Village has five zoning categories within the primary portion of the WRA in the Village of Mayville, which include commercial (C-1), commercial (C-2), residential (R-9), residential (R-9A) and manufacturing (M-1).

A majority of the WRA area is dedicated to residential zones R-9 and R-9A. Uses within these districts have minor variations from each other but are primarily residential in nature. Uses allowed are single-

family, cluster-residential, church, hospital, clinic and professional offices. All uses within these districts are consistent with objectives expressed by the community in public hearings for the LWRP.

The C-1 districts are comprised of the downtown business district, a small area along Sea Lion Drive on the edge of the village and an area along Route 394 in the southern portion of the village, which is adjacent to the WRA. The C-1 district allows for retail sales, personal service establishments, eating and drinking establishments, amusement centers, banks, hotels and marinas. All of the uses listed are consistent with the objectives of the LWRP.

The C-2 district is located at the northern edge of Chautauqua Lake along Route 394. All uses allowed within the C-1 district are allowed in addition to motor vehicle sales, service stations, warehouses, drive-ins and farm implement dealers. The historic rail station, a large portion of the lakeside redevelopment plan and existing trails are within the boundaries of this district. Due to the community objectives voiced by residents during public meetings, it is recommended that the village carefully review the uses allowed within this area prior to completing the revision of the village zoning ordinance. Final uses allowed should promote the community vision and plans for the area within the WRA.

Town of Ellery

The Town has six zoning categories within the WRA including single-family residential, residential, multiple-family residential, retail business, highway business, and lakeside business. In addition, a supplemental lakeshore regulations section regulates parcels contiguous to the Chautauqua Lake lakeshore. The primary land uses in the Town is residential. See [Town of Ellery Zoning Map](#).

The single-family district is designed to accommodate new developments. The district allows single-family dwellings, cluster-residential development, and typical accessory uses such as garages. The residential district maintains a similar density and use pattern as the single-family district but does allow for duplex development. The multiple-family districts are areas of the Town where higher density can be accommodated. The district accommodates multiple-family units, church camps, bed and breakfast establishments, and large group gatherings. These districts comprise the majority of the land and uses in the WRA.

Ellery has four business zones in the WRA area. The first zone, a highway business zone, is located along NYS Route 430 at Maple Springs. The second such zone is located further south along NYS Route 430 in the Greenhurst area. Midway Amusement Park is located in Maple Springs with restaurants and stores nearby. Retail business is located in the zone at Greenhurst. The highway business zone allows a wide variety of retail and service businesses that are typically found in commercial downtown areas. These commercial areas act as anchors for the neighborhoods nearby providing services to them.

The single retail business zone located in the Town is in Oriental Park. Uses allowed in the zone include small shops, professional offices, and residential development. This zone complements the business district of the Village of Bemus Point. The lakeside business district is located at Shore Acres along NYS Route 430. Uses in the district include marinas, boat storage, restaurants and cabins. All districts and uses in the WRA complement the objectives set forth by the community.

Village of Bemus Point

The Village has five zoning categories in the WRA including low density single family, medium density single family/duplex, medium density Town house/apartments, retail business and parks/recreation/conservation. In addition, a floodplain overlay district and supplemental lakeshore regulation govern parcels within the WRA. See [Village of Bemus Point Zoning Map](#).

Low-density single-family housing zones are located along Lakeside Drive and Lincoln Road. Uses in this zone are limited to single family, golf courses, public park, boat storage, and typical accessory uses. A large segment of the community's open spaces are located within this district.

A majority of the core of the Village is comprised of a medium density single family/duplex zone. Uses in the district are still restrictive due to the lack of available space for development. The medium density district allows professional offices and duplexes in addition to the uses previously stated uses.

The medium density Townhouse/apartments zone is located along Lakeside Drive between the Village park and the Italian Fisherman Restaurant property. The uses allowed in this district are similar to those allowed in the other residential zones except for notable addition of multiple attached dwellings, accessory apartments, and nursing homes. This zone may be in conflict with the Village's objectives because the limits of the zone reach the lakeshore. Development along the lakeshore would block the vistas.

The retail business and parks zones both allow uses that are either in existence currently or would be complementary to the community.

Q. Water Surface Use

Existing Water Surface Use

Chautauqua Lake is a 17-miles long with a surface area of 20.5 square miles and is the largest inland water body in Chautauqua County. The Lake is popular for numerous water recreational activities: boating, fishing, water skiing, and personal watercraft use, ice skating, ice fishing and snowmobiling.

Some water surface activities on the Lake are summarized as follows:

Boating

Sailing is a long standing use on the Lake. Regattas have traditionally been held in front of the Chautauqua Institution grounds. The Chautauqua Yacht Club and the Chautauqua Institution Sailing School both promote sailing on Chautauqua Lake.

Motorboat use of the Lake has been growing since 1985 as witnessed by the over 25% rise in boats registered for principal use in Chautauqua County from 1985 to 1992 and the following 20% rise from 1992 to 2002. The past five years has seen an increase in the popularity of personal watercraft and has raised concerns in especially congested areas of the Lake such as at the Bemus Point narrows.

Canoeing and kayaking at the south end of the Lake, along the outlet (Chadakoin River), and some tributaries is increasing. Canoeists often find that boat wakes from increased motorboat traffic creates conditions not conducive to canoeing in parts of the lake.

Commercial boat traffic is minimal on the Lake. The Summer Wind, a dinner excursion boat, is based in Celoron and routinely uses the Lake. The Chautauqua Belle, a replica of steamship, operates from Mayville at the Lakeside Park. The Bemus Point- Stow ferry crosses at the narrows from Stow to the Casino in Bemus Point.

Commercial and public marinas are located at various points along the lakefront. All commercial and public marinas with wet slips and launching capacity have been identified and mapped as part of this document in Section II pages 27 to 30 under Chautauqua Lake Access Points.

Boat launching points, for both large and small crafts, have been identified and mapped as part of the Chautauqua Lake Access Points chart in Section II, pages 28 to 30, of this document.

Recreational Activities

Personal Watercraft (PWC): activity is growing on Chautauqua Lake. Concerns over noise generated by PWC's and conflicts between motorboats and PWC surfaced in community discussions regarding the lake. New changes to the New York State Navigation law regarding the use of PWC are expected to mitigate many of the largest concerns voiced by residents over safety and conflicting users on the lake.

Water skiing is a popular activity on Chautauqua Lake because of the calm conditions often found on the lake. Water skiers have found that conditions are best during off-peak hours (early morning) and days (mid-week) as wakes and congestion increase as more boats get on the lake.

Swimming is a significant activity in many portions of Chautauqua Lake. Public beaches are located in Lakewood, Chautauqua, Mayville and Bemus Point. In addition, private shoreline or beaches are located at residences and organizations around the lake.

Fishing for recreation is a popular activity on Chautauqua Lake. The lake supports a sports fishery that ranks fourth in New York State in angler use. Additional details regarding the fishery are located in Section II, page 60 of this document.

Winter use of Chautauqua Lake's water area consists of ice fishing, **skating and snowmobiling** on portions of the lake.

Water Surface Regulations

Currently, surface use regulations in place on Chautauqua Lake are speed limit/no wake zones created by the Chautauqua County Legislature as allowed by an amendment to the New York state Navigation Law in 1989. This establishes a 20-mph speed limit one-half hour after sunset and one-half hour before sunrise on the lake and a no-wake/ 5-mph limit within 200 feet of the shoreline, a dock, float, pier, raft,

or anchored vessel unless vehicles for the purpose of enabling a person engaged in water skiing to take off or land. In addition a 5-mph speed limit was established from the East side of the Chautauqua Lake Veterans Memorial Bridge (I-86) to the West side of the Bemus Point-Stow Ferry crossing; and from a line extending directly from the centerline of Dunham Avenue to the Village of Celoron across the lake parallel to said street to the East boundary of the Carlson Boat Livery property. These speed limits are enforced by the marine patrol of the Chautauqua County Sheriff's Office.

The Office of Parks, Recreation and Historic Preservation is the designated state agency for administration of the New York State Navigation Law. The Bureau of Marine and Recreational Vehicles has general responsibility for boating safety in New York State and provides funding and training for marine law enforcement as well as boating education programs. The Chautauqua County Sheriff's Office Marine Patrol is partially funded through this program.

Docks and Breakwalls

Chautauqua Lake has a highly developed shoreline with many residential and commercial docking areas. Breakwalls vary in type from cement and steel smooth walled structures too rip-rap. Although permits are required for the installation of new breakwalls, no database exists that allows an accurate measurement of the percentage of the 42-miles of shoreline affected by this man-made hardening of the shoreline. Officers of the Chautauqua County Sheriff's Marine Patrol estimate that 20-30% of the shoreline has breakwalls. However, this is only an anecdotal estimate.

The installation of private docks is exempt in many cases. Commercial docks, all breakwalls and some residential docks are covered by the following regulations:

Use of Underwater Lands

Office of General Services

The State of New York holds title, on behalf of the public, to lands submerged by navigable rivers, lakes and coastal waters, and formerly underwater filled lands to the last known location of mean high water – in accordance with the public lands law. On Chautauqua Lake and its tributaries, the boundary between these “lands under water” and the privately owned upland is the elevation of the mean low water line (1306.95). The New York State Office of General Services (OGS) is the agency designated to manage underwater lands, unless title to those lands has been transferred to another agency.

In New York State, the interest that a shoreline owner has in gaining access to navigable water has long been acknowledged and reflected in the laws regarding the administration of submerged lands. To secure that interest, the riparian owner may be allowed to place a single dock upon publicly held land for private non-commercial use. The riparian owner enjoys the exclusive use of this dock against other private interests and also holds the right to apply to the NYS OGS for authorization to place additional installations upon submerged lands.

While the right of access cannot be extinguished by State action without compensation to the upland proprietor, this right cannot be enlarged by the upland owner without compensation to the State of

New York. Where shore front proprietors wish to erect permanent or substantial installations on submerged land, authorization is required in the form of a lease or easement.

A lease or easement in underwater lands is a legal instrument that allows the shorefront proprietor to use underwater lands for a specific purpose. Through the provisions of the Public Lands Law, the New York State Legislature has delegated the authority to convey the right to use underwater lands to the Commissioner of General Services. The Public Lands Law, together with the policies adopted by the NYS OGS, serves as the administrative guidelines for the conveyance of leases and easements.

The NYS OGS Division of Land Utilization Submerged Lands Program has been established to ensure that the conveyance of underwater lands administered by OGS yields the highest possible economic return to the public and complies with the provisions of the State Environmental Quality Review Act (SEQR). The Division's staff reviews the regulatory notices of the USACE, the NYS DEC and NYS DOS to determine if proposed shoreline development will impact publicly owned submerged lands. The proposed installation must also meet all local codes and ordinances. As part of the application for a lease or easement, an upland proprietor must notify the locality of his or her intention to apply for a conveyance of underwater land. An easement does not relieve the applicant of the responsibility for obtaining any regulatory permits required by NYS DEC and the USACE.

A lease or easement is different from regulatory permits that may be established to control density and regulate waterways. Although less than complete ownership, a lease or easement in underwater lands gives the upland owner a real property interest in the area on which a marine installation is located. This interest is assignable with the consent of the Commissioner of General Services.

The NYS OGS Submerged Lands Program is a multi-purpose effort aimed at the comprehensive management of a valuable public resource. The NYS OGS has stated that it recognizes that this often requires the achievement of a delicate balance between economic development and environmental preservation. The program's commitment is to work together with local communities to ensure that the public's right to enjoy the waters of New York State is not diminished by the development of the shoreline. An issue in some areas of Chautauqua Lake is the situation of "keyhole" development where large upland areas with relatively small shoreline are developed for residential uses at densities that result in large numbers of docks along the shoreline. The Town of Ellery has recently enacted a funneling provision within their local ordinance to address the keyhole development issue.

Construction Regulations for Docks and Other Underwater Structures

Under existing regulations, structures proposed for placement in Chautauqua Lake are generally regulated and controlled by multiple levels of government - local, State and Federal, with overlapping jurisdictions. A summary of the requirements and principal standards, under each levels of government, for the placement of structures in the Lake is provided in this section.

Local Government Regulations

Most of the Chautauqua Lake municipalities do not have regulations governing docks specifically. The Village of Lakewood is an exception with a permit process in place for docks placed upon public right of

ways. While absent any formal approval authority, waterfront developments in any of the Towns requiring site plan, special use or variance approval may also be subject to review and comment by the Chautauqua County Planning Board.

State of New York Regulations

New York State has approval authority for all structures and many activities occurring in the near shore waters and adjacent land areas of Chautauqua Lake. This authority rests primarily with DEC, with additional jurisdiction by the NYS OGS and NYS DOS in certain situations.

NYS Department of Environmental Conservation

The NYS DEC authority stems from two sources: (1) the regulation of disturbances to water body banks and beds pursuant to Article 15, Protection of Waters and its associated regulations (6 NYCRR Part 608), and (2) the requirement that a Water Quality Certification be issued by the DEC for any required Federal Permits and actions pursuant to Section 401 of the Federal Water Pollution Control Act and its amendments.

The applicability of each of these DEC regulatory programs to structures in Chautauqua Lake is described separately below.

Article 15 - Protection of Waters

Article 15 of the NY Environmental Conservation Law provides the DEC with the responsibility to regulate a variety of activities for disturbance of the bed or bank of protected streams and below the mean high water level of navigable waters. This regulation also addresses dock and mooring facilities on or above underwater land not owned by New York State. It also covers docking facilities for five or more boats and mooring areas for ten or more boats. The regulations implementing this regulatory program are found in 6 NYCRR Part 608.

The regulations also require that a permit be obtained for any excavation disturbance to the bed or bank of Chautauqua Lake, protected water; for dredging or filling in navigable waters and adjacent marshes and wetlands, and for a dock, pier, wharf, platform, or breakwater in, on or above navigable waters with certain exceptions. The exceptions include, among others, structures authorized by the Commissioner of General Services pursuant to the NYS Public Lands Law, docking facilities providing docking for five or fewer boats and encompassing an area of less than four thousand square feet, and a mooring area providing mooring for fewer than ten boats.

The standards for permit issuance under Article 15 are given in 6 NYCRR Part 608.8. For a permit to be issued it must be found that the proposal is (1) reasonable and necessary, (2) will not endanger the health, safety or welfare of the people of the State of New York and (3) will not cause unreasonable, uncontrolled or unnecessary damage to the natural resources of the State.

401 Water Quality Certification

Pursuant to the Federal Water Pollution Control Act, any applicant for a federal license or permit within NY State must obtain a Water Quality Certification from DEC. This can be in the form of a “blanket” certification issued for Corps nationwide permits, regional permits, general permits, or an individual permits. Implementation of this program in New York is as specified in 6 NYCRR Part 608 (see appendix). The Water Quality Certification is to assure that actions and activities permitted by federal authorities will not result in a contravention of established water quality standards or effluent limitations. Given this narrow focus, an individual Water Quality Certification is often required for larger projects not covered by the U.S. Army Corps’ issued nationwide, general, or regional permits. When individual Water Quality Certifications are required NYS DEC uses this approval to ensure that stormwater discharges from landside, ancillary development or access facilities will be properly managed to protect water quality.

Department of State

The New York State Department of State administers the Local Waterfront Revitalization Program within New York State. This includes working with local government with respect to promulgating Local Waterfront Revitalization Programs that are consistent with New York state policies. These policies are generally designed to promote the beneficial use of coastal/waterway resources, prevent impairment of certain coastal/waterway resources, and provide for management of activities which may impact coastal/waterway resources.

State approval of projects within the Chautauqua Lake waterfront area must be found consistent with the policies of the approved LWRP, to the maximum extent practicable, in accordance with the guidelines established by the Department of State set forth in Appendix B.

Federal Regulations

The federal government jurisdiction for activities in Chautauqua Lake is administered through the USACE regulatory program, with involvement of the U.S. Environmental Protection Agency (EPA) and the U.S. Fish and Wildlife Service. These programs controls the placement of any structure in, under, or over navigable waters and adjacent wetlands, under Section 10 of the Rivers and Harbors Act of 1899, as well as the discharge of dredge or fill materials into waters of the United States, including wetlands, pursuant to Section 404 of the Federal Clean Water Act. Projects are authorized through the issuance of nationwide permits, regional permits and general and individual permits.

Section III. Waterfront Revitalization Program Policies

This section sets forth the 13 waterfront revitalization policies established by the New York State Department of State and reflected in the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. The explanations refine these policies to reflect local circumstances and conditions.

Developed Waterfront Policies

Policy 1

Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.

The waterfront areas of the Chautauqua Lake communities include a wide variety of land uses, natural resources, cultural and historic resources, residential centers, and recreational facilities. The vitality of these lake communities is critical to the success of the Chautauqua Lake Region. The character of the area along Chautauqua Lake is defined in large part by the lake's historical development as a recreational attraction and the upland's agricultural past. Chautauqua Lake's primary land use pattern of development is residential, which has seen increased growth since the completion of a sewer system around a large portion of the lake. The increased growth has resulted in a rapid decline in the limited amount of undeveloped shoreline that remained. Even so, the shoreline still maintains a rural character with vacant farm and woodlands interspersed between historic residential clusters and a handful of modest sized Villages. The character of the uplands beyond the Waterfront Revitalization Area (WRA) is markedly rural.

The nine communities around Chautauqua Lake are spread across 42 miles of shoreline and are comprised of both Villages and Townships with varying topographies. Due to these variables, the land use goals for the area within the LWRP, although having similarities, are often unique. The future of the Chautauqua Lake area will be influenced by the ability of the Chautauqua Lake communities to preserve open spaces and protect natural resources while enhancing and revitalizing the community assets that help to create the unique experience of visiting Chautauqua Lake. Tourism is the primary economic base for many of the lake communities such as Chautauqua, Ellery and Bemus Point.

This policy is intended to foster a development pattern that provides for the beneficial use of the environmental, historical, and cultural resources of the Chautauqua Lake communities while maintaining and building on their traditional economic base. The primary components of the desired development patterns are: strengthening the downtown areas of the Villages and the historic residential clusters, such as Chautauqua Institution and Dewittville, as centers of activities; encouraging water-dependent uses to concentrate in existing locations of maritime activities; upgrade and enhance existing facilities to encourage use of underutilized waterfront areas by residents and visitors, and preserve open space and

environmentally sensitive waterfront resources. Development that does not reinforce or complement the land use pattern of an area will result in the loss of community character and possibly harm the limited waterfront resource that exists.

Policy 1.1 Concentrate development and redevelopment in order to revitalize underutilized waterfronts and strengthen the traditional waterfront focus of the communities.

The only growth and development controls within the Chautauqua Lake communities are the existence of local land use regulations. These regulations have acted as the sole comprehensive planning tool for community development in each of the communities and therefore provide an insight to the land use development patterns of each community.

When studying the inventory of business, commercial, shoreline commercial and highway commercial areas that exist in the Towns and Villages a pattern emerges. Historically these types of uses have been clustered in Village centers or historical residential clusters, such as Hartfield, Dewittville, Ashville, Stow and near the Chautauqua Institution. The largest and most successful districts are those with adequate infrastructure in the Village centers.

Therefore, the following standards should be adhered to when evaluating the appropriateness and design of future development in the LWRP area:

Village Centers or Areas with Adequate Public Infrastructure:

Design projects with waterfront as a focus and a site design that links the waterfront to the upland portions of the community.

- Scale development to be appropriate to the setting
- Incorporate recreational activities, public access, open space, or amenities, as appropriate to use, to enhance the site and the surrounding community, and to increase the visual and physical access to the waterfront.
- Ensure that design and siting of uses and structures complement the surrounding community.
- Recognize environmental constraints as limiting development.

Areas without Adequate Public Infrastructure:

- All conditions listed under Village Centers previously.
- Make determination on where proposed infrastructure may be located and what type of infrastructure will be used to service proposed development.
- Minimize the consumption of waterfront lands and potential adverse impacts on natural resources.

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

The amount of developable waterfront and its associated resources on Chautauqua Lake are limited. Allowing market forces alone to determine the future, long-term use of this valuable resource does not ensure an attractive or publicly accessible waterfront or protect community character. This policy seeks to provide a measure of control and guidance not currently available in many of the Chautauqua Lake communities land use regulations. When evaluating uses it is recommended that consideration should be given to whether a use is appropriate for a waterfront location. When planning waterfront development or redevelopment, the waterfront location should be reflected in the siting, design, and orientation of the development whenever feasibly possible.

The following are definitions and standards are to be used as guidance when evaluating the appropriateness of a proposed development on the waterfront in the LWRP area:

Water-Dependent Uses – Activities which require a location in, on, over, or adjacent to the water because the activities require direct access to water and the use of water is an integral part of the activity.

Water-Enhanced Uses – Activities that do not require a location on or adjacent to the water to function, but whose location on the waterfront could add public enjoyment and use of the waters' edge, if properly sited and designed. Water enhanced uses are generally of a recreational, cultural, commercial or retail nature.

Standards:

Water-dependent uses should be promoted where appropriate and given precedent over other types of development at suitable waterfront sites. Existing waterfront uses should be protected.

Water-enhanced uses may be encouraged where they are compatible with surrounding development and are designed to make beneficial use of their waterfront location.

Water-enhanced uses should be sited and designed to:

- attract people to waterfront and provide opportunities for access
- provide public views to or from the water
- minimize consumption of waterfront land
- not interfere with the operation of water-dependent operations
- not cause significant adverse impacts to community character and surrounding land and water resources.

Uses should be avoided that do not, by their nature, derive economic benefit from a waterfront location.

Policy 1.3 Maintain and enhance natural areas, recreation and open space.

The shoreline of the Chautauqua Lake communities includes freshwater wetlands, floodplains and wildlife management areas as inventoried earlier in this document. Natural areas, open space and

significant recreational lands in the Chautauqua Lake area produces tangible and intangible benefits that contribute to the quality of life of residents, as well as enhancing the uniqueness of the area to visitors. In addition to scenic and recreational benefits these lands may also support habitats for fish and wildlife, provide watershed management flood control benefits, serve to recharge ground water, and can in some cases minimize erosion.

The intent of this policy is to foster development requirements that account for site characteristics, limit the disturbance of land and water, and foster visual compatibility of the development with surrounding areas.

Adverse impacts on natural resources, open spaces and recreation should be avoided, including:

- The protection of existing park lands and provision of additional recreational opportunities in the Chautauqua Lake communities
- When evaluating proposed new developments, ensure that natural areas are preserved to the maximum extent possible.
- Include cluster-housing provisions in subdivision regulations, zoning laws and ordinances to preserve open space.
- Loss, fragmentation, and impairment of habitats and wetlands whenever possible.
- The expansion of infrastructure into undeveloped areas where such expansion would promote development detrimental to natural resources.

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

To enhance community character and maintain the quality of the natural and man-made environments of the Chautauqua Lake area, potential adverse impacts on existing development, the natural environment and the economy should be addressed and mitigated. Local review of proposed development falls under the purview of site plan review, by which the community can require that site development meets established requirements for layout, size and appearance. Further, the State Environmental Quality Review (SEQR) process provides an additional means whereby the local community can assess all potential environmental impacts of a proposed development.

- All major proposed projects within the Chautauqua Lake Waterfront Revitalization Area requiring local, State or federal review shall take into account the economic, social and environmental interests of the impacted community and the Lake as a whole.
- Future development should be focused only where adequate public infrastructure exists or can be provided or where private facilities could be developed. All development should take place in such a way that community character, environmental quality, open space, and natural resources are preserved and water-dependent uses are not displaced or their operations impaired.

Policy 1.5 Protect stable residential areas.

Redevelopment areas within the Chautauqua Lake communities primarily consist of Village centers or areas that have become centers for historic residential clusters such as Stow and Dewittville. These types of areas have traditionally had links to adjacent existing residential neighborhoods. The following standards should be considered when reviewing proposed projects:

- New development located in or adjacent to these types of residential areas should be compatible with neighborhood character.
- Buffering that does not reduce or eliminate vistas that connect people to the water may be considered to separate non-compatible uses.
- The loss of informal access points to the waterfront should be evaluated. In the case of a loss of access points, the provision of new public access points shall be encouraged.

Policy 2

Preserve historic resources of the waterfront area of Chautauqua Lake.

The rich and varied historic resources of the Chautauqua Lake communities are a visible if unrecognized reminder of each community's roots and their rich tradition. The Chautauqua Lake area is full of reminders of its past as a tourist destination and an inland shipping route to the Gulf of Mexico.

It is worth highlighting the fact that the significance of the Chautauqua Lake communities' resources has been recognized by the listing of five properties and two historic districts on the State and National Registers of Historic Places. The two historic districts, the Chautauqua Institution and Point Chautauqua, alone encompass more than 705 principal contributing buildings. In addition the Chautauqua Institution was listed on the National Register of Historic Places as a National Historic landmark in 1989 (Historic Resources identified in Section II on pages 42-45 and Tourism Resources, page 63).

There is evidence of earlier Native American occupation of the region dating as far back as 5,000 years ago when the Native American "Mound Builders" lived on the shores of Chautauqua Lake. Evidence of at least thirty entrenchment sites in Chautauqua County have been recorded, several of which were located around Chautauqua Lake and its outlet. The first excursion of white Europeans into Chautauqua County in 1615 found tribes of Native Americans called the Eries living in the County and most likely utilizing areas around Chautauqua Lake. The NYSOPRHP provides information regarding places of known archeological sensitivity along the shoreline areas of Chautauqua Lake.

Both archeological sites and historic structures are links to the past development of the Chautauqua Lake area. They are important components in defining the area's distinctive identity and heritage. The intent of this policy is to preserve the historic and archeological resources of the Chautauqua Lake

communities by encouraging and promoting private efforts to restore, conserve and maintain historic structures.

Policy 2.1 Maximize preservation and retention of historic resources.

Historic resources are those structures, landscapes, districts, areas or sites or underwater structures or artifacts that are:

- In a federal or state park established in order to protect the resource.
- On, nominated, or deemed eligible to be on the National or State Register of Historic Places.
- Managed by the State Nature and Historic Preserve Trust or the State Natural Heritage Trust.
- On the inventories of archeological sites maintained by the State Education Department or the State Office of Parks, Recreation and Historic Preservation.
- Locally designated historic or archeological resources protected by a local law or ordinance.

The Chautauqua Lake communities can help preserve, protect and enhance historic resources through the following:

- Recognize that public investment in historic development is important to illustrate a commitment to the business community and the public at large, which may later invest.
- Promote the designation of historic landmarks that reflect elements of the region's culture, social, economic, political and architectural history. These landmarks should be renovated, when possible, and promoted.
- Preserve historic character of the resource by protecting historic materials and features or by making repairs using appropriate methods and materials.
- Provide for compatible use or reuse of historic resource, while limiting and minimizing inappropriate alterations to the resource.
- Avoid potential adverse impacts of new development on nearby historic resources.
- Minimize loss of historic resources or historic character when it is not possible to completely preserve the resource.

Policy 2.2 Protect and preserve archeological resources.

Conduct a cultural resource investigation when an action is proposed on an archeological site, fossil bed, or in an area identified for potential archeological sensitivity on the archeological resources inventory maps prepared by the New York State Historic Preservation Officer. If impacts are anticipated on a significant archeological resource, potential adverse impacts should be minimized by:

- Redesigning the project
- Reducing direct impacts on the resource
- Recovering data prior to construction

Policy 3

Enhance visual quality and protect scenic resources in the Chautauqua Lake Area.

The communities surrounding Chautauqua Lake contain a variety of unique and beautiful scenic components. The visual quality of the landscape is a major contributor to the character of the communities. The shoreline of Chautauqua Lake includes different landforms such as the steep slopes of Ellery, the low flat areas of Ellicott and Celoron and the delta area of Bemus Point, a variety of upland and shoreline vegetation, historic residential clusters and small villages (Scenic Views identified in Section II on pages 66-68). In addition to the scenic natural resources found around the lake, the variety of cultural elements in the landscape and the interplay of the built and natural environments are of importance to the visual quality of the Chautauqua Lake communities (Tourism Resources identified in Section II on pages 62-65 and Historic Resources in Section II pages 42-45). Because of the importance of these scenic resources around Chautauqua Lake, scenic quality shall be considered in balancing wise use and conservation of waterfront resources.

The intent of this policy is to protect and enhance the visual quality of the Chautauqua Lake communities. The preservation of the aesthetic, historic, and scenic character of the communities is critical to the continuance of its attraction and economic vitality as a tourism resource.

Policy 3.1 Enhance visual quality and protect scenic resources throughout the Chautauqua Lake communities.

The Chautauqua Lake area provides numerous opportunities for enjoying scenic vistas of the waterfront and surrounding area. The Chautauqua Lake communities need to protect these scenic vistas by adhering to the following standards and guidelines:

- Minimize the introduction of structural elements, which would be discordant with existing natural scenic components and character.
- Restore deteriorated visual components where practical and remove degraded components when necessary.
- Screen components of development, which detract from visual quality.
- Use appropriate siting, scales, forms, and materials to ensure that structures are compatible and add interest to existing scenic components.
- Improve the visual quality of Village areas.
- Protect the visual interest of active water-dependent uses.
- Protect and enhance the visual quality associated with public lands, public parks and public trust lands.

- Protect the visual quality associated with agricultural land, open space and natural resources.

Natural Waterfront Policies

Policy 4

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

Considerable study has been done on lake levels and flooding around Chautauqua Lake and along its outlet at the Chadakoin River (Army Corps of Engineers 1950, NYS Department of Conservation 1955, Army Corps of Engineers 1980 and Chautauqua County 1980). Recognizing that both high water levels and low water levels may cause property damage, and cause difficulties to riparian property owners, the Chautauqua County Planning Department, the New York State Department of Environmental Conservation and the Jamestown Board of Public Utilities worked to address standard lake level regulation. Through a contractual agreement between these three agencies, and in accordance with the Chautauqua Lake Regulation Plan, the lake levels may be influenced by means of controlled releases through Warner Dam to provide for optimum flood storage capacity and recreation season conservation storage. These efforts have helped to minimize the risk of flooding in a cost effective manner, yet in no way can these efforts guarantee that flooding will not occur.

Portions of the Chautauqua Lake shoreline and of the stream banks of the eleven tributaries are located within the 100-year flood plain (see Flooding and Erosion-Section II, pages 51-55). All communities participate in the National Flood Insurance Program (NFIP) and all have local laws covering flood damage prevention. These laws, in conjunction with lake level regulation, are designed to prevent future property damage within the flood hazard area.

Erosion of the shoreline of Chautauqua Lake has not been a significant problem to date. Erosion in the stream and creek beds and banks of Chautauqua Lake's tributaries and erosion of near shore development sites has been of greater concern. Various studies have attempted to calculate an accurate modern sedimentation rate for Chautauqua Lake overall. Unfortunately, sedimentation is not likely to be deposited in an evenly distributed fashion. Rather, sedimentation tends to be concentrated in the creek delta areas and at rates far exceeding the average. Further study of specific tributaries may be necessary before actual impacts and prevention strategies can be assessed.

Policy 4.1 Minimize flooding damage in the Chautauqua Lake communities through the use of appropriate management measures.

Standards directed at protecting life and properties using various management measures related to flood damage prevention are presented below, in order of priority:

- Locate development and structures away from areas of known flooding hazards;

- Prohibit principal structures intended for habitation (residences, cottages, cabins, condominiums, apartments) within 50 feet of the shoreline. The determination of the shoreline location shall be based on high water levels of 1309.40 (1929 National Geodetic Vertical Datum) mean high water elevation, per NYCRR Part 608.

Policy 4.2 Preserve and restore natural protective features.

Natural protective features are beaches, dunes, shoals, bars, wetlands and natural vegetation. As flooding and erosion control protective features, these are considered superior to man-made features and should be preserved where feasible in the Chautauqua Lake communities. Natural protective features in the Chautauqua Lake LWRP are limited to beaches, bars, wetlands and natural vegetation.

- Use practical vegetative approaches to stabilize natural shoreline and stream bank features.
- Restore the condition of natural protective features wherever practical.

Policy 5

Protect and improve water resources.

Primary water resources for the Chautauqua Lake communities include Chautauqua Lake and its eleven major tributaries. The protection and improvement of these resources is of critical importance to the communities and their economies (see Water Quality-Section II, Wetlands-Section II, and Environmentally Sensitive Features-Section II).

A water quality rating of “A” has been established for Chautauqua Lake. A Class A rating is the highest quality rating for Chautauqua Lake and indicates water suitable as a potable water supply. The lake serves as a source of water for drinking, bathing and food preparation for a number of public and private water supply systems.

The New York State Department of Health defines any water system serving more than four housing units as a public water supply system, even though they may be owned and operated privately. Public systems dependent on the lake for their water supply include the Chautauqua Utility District serving Chautauqua Institution and the systems serving the condominium developments at Chautauqua Lake Estates and serving Point Chautauqua on a seasonal basis. In addition to these public systems, about 25 lakefront property owners and the Prendergast Hatchery draw water directly from the lake.

The remainder of the watershed finds its water supplies from wells, including a number of municipal systems. Municipal systems dependent on well water in the watershed include the Village of Mayville and the City of Jamestown water systems. The City of Jamestown provides water service to the Villages of Celoron and Lakewood, and portions of the Towns of Ellicott, Busti, and North Harmony.

Eight of the eleven major tributaries have a water quality rating of “C” which indicates water suitable as a fishery and non-contact activities. The first portions of Goose, Dutch Hollow and Prendergast Creek have a “C (T)” classification indicating that these waters have and are suitable for a trout population.

The purpose of this policy is to protect the quality and quantity of water in the Chautauqua Lake and its major tributaries. Factors that affect water quality include both point and non-point source pollution. Water quality protection and improvement must be accomplished by the combination of managing new and remediating existing sources of pollution.

The entire Chautauqua Lake LWRP area is part of the Ohio River Basin. Activities that take place within the LWRP area of Chautauqua Lake therefore can affect segments of a larger watershed area.

Policy 5.1 Prohibit direct discharges that would contribute to lowering water quality standards.

This policy focuses on those discharges into the water resources of the Chautauqua Lake communities that have an identifiable source; most often, these discharges will originate from such locations as a development site, industrial operation, or wastewater treatment plant. While all discharges are potentially harmful to the water resources in the Chautauqua Lake area, the so- called “point source” discharges are usually easier to identify, monitor and correct if needed.

The following standards shall be used by the Chautauqua Lake communities in assessing, controlling and preventing unsafe types of point discharges into the water resources of the Chautauqua Lake communities. The standards are somewhat detailed since they reflect State regulations for point source discharges.

Prevent point source discharges into water resources and manage or avoid land and water uses which would:

- Exceed applicable effluent limitations, or
- cause or contribute to contravention of water quality classification and use standards, or
- substantially adversely affect receiving water quality.

Ensure effective treatment of sanitary sewage and industrial discharges by:

- Maintaining efficient operation of sewage and industrial treatment facilities.
- Providing, at a minimum, effective secondary treatment of sanitary sewage.
- Modifying existing sewage treatment facilities, as feasible, to provide improved nitrogen removal capacity.
- Reducing demand on treatment facilities:
 - a. Reduce infiltration of excess water in collection and transportation systems.
 - b. Install low-flow water conservation fixtures in:
 - 1. all new development, and
 - 2. when replacing fixtures in existing development
- Reducing the loadings of toxic materials into water resources by including limits on toxic metals as part of the wastewater treatment plant (WWTP) effluent permits.

- Reducing or eliminating combined sewer overflows.
- Providing and managing on-site disposal systems where appropriate:
 - a. Use on-site disposal systems only when impractical to connect to public sewer systems.
 - b. Encourage evaluation and implementation of alternative or innovative on-site water systems to remediate on-site systems that currently do not adequately treat or separate effluent.
 - c. Protect surface or groundwater against contamination from pathogens and excessive nutrient loading by keeping septic effluent separated from groundwater and by providing adequate treatment of septic effluent.

Chautauqua Lake communities will work to ensure that marine pump-out stations are constructed at appropriate points on the shores of Chautauqua Lake to prevent the discharge of waste materials into the Lake. The inclusion of a pump-out station will be a condition for approval of any new marinas proposed in the region.

Policy 5.2 Minimize indirect or non-point pollution of the water resources of the Chautauqua Lake communities, and manage activities causing non-point pollution.

Non-point pollution is that which originates from sources that are not localized or easily identifiable. In general, non-point pollution results from various ways that the land is used: runoff from farms and agricultural operations, drainage and runoff from urbanized areas, or littering by people living or traveling in an area. As such, measures can be taken which can prevent or alleviate non-point pollution in the Chautauqua Lake area.

Minimize non-point pollution of the Chautauqua Lake communities' water resources using the following approaches, presented in order of priority:

1. Avoid non-point pollution by limiting non-point sources.

- Reduce or eliminate the introduction of materials that may contribute to non-point pollution.
- Avoid activities that would materially increase off-site stormwater runoff and transport of pollutants.
- Control and manage stormwater runoff to minimize the transport of pollutants.
- Retain or establish vegetation to maintain or provide soil stabilization.
- Preserve natural hydrologic conditions.
 - 1. Maintain natural surface water flow characteristics.
 - 2. Retain natural watercourses and drainage systems where present.
 - 3. Where natural drainage systems are absent or incapable of handling anticipated runoff demands:
 - a. Develop open vegetated drainage systems as the preferred approach, and design these systems to include long and indirect flow paths and to decrease peak runoff flows.

- b. Use closed drainage systems only where site constraints and stormwater flow demands make open water systems infeasible.

2. Reduce pollutants loads to water resources by managing unavoidable non-point sources of pollution and use appropriate best management practices.

Reduce non-point source pollution using specific management measures appropriate to specific land use or pollution source categories.

1. Agriculture

- Control soil erosion and contain sediment.
- Manage nutrient loading by applying nutrients only in amounts needed for crop growth.
- Apply pesticides in a safe manner.
- Manage irrigation and use of chemicals to prevent contamination of return flows with fertilizers, pesticides or their residues.

2. Urban

- Ensure that total suspended solids in runoff at new development sites remain at predevelopment levels.
- Limit activities that increase erosion or the amount or velocity of stormwater during site development.
- Ensure that siting, design, maintenance and operation of new on-site sewage disposal systems prevent discharge of pollutants.
- Plan, site and design roads and highways to manage erosion and sediment loss, and limit disturbance of land and vegetation.
- To the extent practical, minimize runoff of contaminants from roads, bridges, and highways into water resources.

3. Marinas

- Site and design marinas such that currents will aid in flushing of the site or renew its water regularly.
- Assess impact on water quality as part of marina siting and design.
- Manage stormwater runoff, discharge of hazardous substances, and solid waste.

4. Hydro modifications

- Use vegetative means, where possible, to protect stream banks and shorelines from erosion.
- Minimize the impacts of channelization and channel modification on instream and riparian habitat, and identify opportunities to restore habitat.
- Maintain, and where possible, improve the physical and chemical characteristics of surface waters and reduce adverse impacts.

5. Floatables and litter

- Prohibit all direct or indirect discharges of refuse or litter into the water resources of the Chautauqua Lake communities.
- Encourage the removal and disposal of floatables and litter from surface waters and shorelines.
- Implement pollution prevention programs to reduce discharge of floatables and litter into storm drains.

Policy 5.3 Protect and enhance water quality of the Chautauqua Lake communities.

Minimize disturbance of streams including their bed and banks to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and the level of water.

Limit adverse impacts on water quality due to excavation or placement of fill using avoidance and minimization methods including reduction in scope of work and use of clean fill.

Policy 5.4 Protect and conserve the quality and quantity of potable water within the Chautauqua Lake area.

Prevent contamination of primary sources of drinking water by limiting discharges of pollutants.

Limit land use practices, including development in groundwater recharge areas that are likely to negatively impact potable water supplies.

Policy 6

Protect ecological resources around Chautauqua Lake, including important fish habitats, wetlands, and rare ecological communities.

Chautauqua Lake has no designated Significant Coastal Fish and Wildlife Habitats identified by the New York State Department of Environmental Conservation or the Department of State. However, the New York State DEC Region 9 Office identified prime spawning and nursery habitat locations on Chautauqua Lake in that agency's work included in the Supplemental Environmental Impact Statement (SEIS) on the New York State Aquatic Vegetation Control Program for Chautauqua Lake (February 1990). The areas identified were along the shoreline and included the following: the northeast corner of the lake (Zones 37N, 1N and 2N), Bemus Bay (Zone 16N), south of Bemus Point (Zone 19N), Arnold Bay (Zone 2S), Sheldon Hall (Zone 10S), Celoron (Zone 15S), south of Stow (Zones 27S and 28S), north of Stow (Zone 20N), Whitney Bay (Zone 25N), Prendergast Point (Zones 27N and 28N) and north of Chautauqua Institution (Zone 31N) (SEIS Figure 17). The areas identified in the 1990 SEIS may be modified during future updates of the SEIS document based on updated studies of the resources.

Habitat protection is recognized as fundamental to assuring the survival and renewal of fish populations. Chautauqua Lake is a significant fishery and the economic impacts of its existence and maintenance are

important to the communities surrounding the lake. This resource must be protected and enhanced, and certainly not degraded or adversely impacted by inappropriate development actions (see Water Quality-Section II, page 46, Wetlands-Section II, pages 56-57 and Fish and Wildlife-Section II, pages 61-62) .

Policy 6.1 Protect fish habitats.

Any projects along the waterfront must be developed in a manner that ensures the protection of fish resources. Project reviewers should consider potential impacts on fish habitats, and the following actions should be taken as appropriate and applicable:

- avoid activities that would destroy or impair habitats through physical alteration, disturbance or pollution, or indirectly affect the loss of habitat;
- schedule development or other activities to avoid vulnerable periods in life cycles of habitats; and
- encourage a project design that will result in the least amount of potential adverse impact on habitats.

Policy 6.2 Protect freshwater wetlands.

Wetlands provide numerous benefits to Chautauqua Lake, including, but not limited to: habitat for fish and wildlife; erosion and flood control; natural pollution treatment; groundwater protection; and aesthetic open space. Several wetlands that affect Chautauqua Lake and its tributaries exist both within the WRA and in the uplands. The most significant are the Hart-field Wetlands, the Prendergast Creek Wetland Preserve, Tom’s Point Wetland, the Goose Creek/Ashville Bay Wetlands (including the Busti Wetland Preserve), and the Bonita/Celoron Wetlands.

Development actions that would negatively impact wetland areas should be avoided. In such cases where impairment of these resources cannot be avoided, the negative impacts should be minimized through appropriate mitigation methods.

The following actions and policies should be applied to projects impacting wetland areas within the WRA:

- Adequate buffers between wetlands and adjacent uses should be provided and maintained to the extent feasible.

Prevent a net loss of vegetated wetlands by:

- Avoiding the placement of fill in vegetated wetlands;
- Designing projects to result in the least amount of potential adverse impact;
- Mitigating the unavoidable adverse impacts resulting from activities by replacement of lost wetland areas or other appropriate means.

Projects such as trail development in the Busti Wetland Preserve, the Bonita Wetland or Tom's Point to allow for public access to these natural areas may impact these areas. In all of the above potential projects, adequate mitigation measures will be evaluated and implemented prior to commencing.

Policy 7

Protect and improve air quality in the Chautauqua Lake area.

This policy provides for protection of the Chautauqua Lake area from air pollution generated within the Chautauqua Lake area or from outside the area, which adversely affects the region's air quality. The air quality within the Chautauqua Lake area is considered to be within federal regulatory standards. Since the Chautauqua Lake communities do not have any heavy industry, air pollution from stationary sources is not a current threat.

Policy 7.1 Minimize existing air pollution and prevent new air pollution in the Chautauqua Lake area.

New land uses or developments in the Chautauqua Lake communities are to be reviewed according to the following standards to ensure they do not exacerbate air pollution:

Ensure that developments proposed in the Chautauqua Lake communities do not exceed thresholds established by the federal Clean Air Act and State air quality laws.

Review proposed land use or development in the Chautauqua Lake communities to ensure the actions do not generate significant amounts of nitrates and sulfates.

Policy 7.2 Minimize discharges of atmospheric radioactive material sources to levels that are low as possible.

Provide necessary information on local actions to the State to enable the State to effectively administer its air quality statutes pertaining to atmospheric radioactive material.

Policy 7.3 Assist the State whenever possible in the administration of its air quality statutes pertaining to chlorofluorocarbon compounds.

Policy 7.4 Assist the State whenever possible in the administration of its air quality statutes pertaining to the atmospheric deposition of pollutants in the region, particularly from nitrogen sources.

Policy 8

Minimize environmental degradation in the Chautauqua Lake communities from solid waste and hazardous substances and wastes.

Historically, the economies of the Chautauqua Lake communities have been dependent on tourism and agriculture as the primary industries to provide jobs. The majority of traditional industries chose to locate in Jamestown, many along the outlet of the lake, with a small handful locating at the head of the lake in Mayville. At times, some of these industries may have contributed to unsafe conditions in the WRA due to improperly disposed materials.

The intent of this policy is to protect people from sources of contamination and to protect the Chautauqua Lake area from degradation through proper control and management of wastes and hazardous materials.

Solid wastes are those materials defined under ECL-27-0701 and 6 NYCRR Part 360-1.2. Hazardous wastes are those materials defined under ECL-27-0901 and NYCRR Part 371. Substances hazardous to the environment are defined under ECL-37-01001. Toxic pollutants are defined under ECL-17-0105.

Policy 8.1 Manage solid waste to protect public health and control pollution.

Ensure that solid waste disposal is adequately addressed prior to granting local approval for major development or activities generating solid wastes.

Promote methods of effectively managing solid wastes in accordance with the following State solid waste management priorities for reducing, reusing and disposing of such waste:

1. Reduce the amount of solid waste generated
2. Reuse material for the purpose for which it was originally intended or recycle material that cannot be reused.
3. Use land burial or other approved methods to dispose of solid waste that is not being reused or recycled.

The discharge of solid wastes into the environment should be prevented by using proper handling, management and transportation practices.

Policy 8.2 Manage hazardous waste to protect public health and control pollution.

Manage hazardous waste in accordance with the following priorities:

1. Eliminate or reduce generation of hazardous wastes to the maximum extent practical.
2. Recover, reuse, or recycle remaining hazardous wastes to the maximum extent practical.
3. Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes, which cannot be reduced, recovered, reused, or recycled.
4. Phase out land disposal of industrial wastes.

Ensure the maximum safety of the public from hazards associated with hazardous wastes through the proper management and handling of industrial waste treatment, storage, and disposal.

Policy 8.3 Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment.

Prevent release of toxic pollutants or substances hazardous to the environment, which would have a deleterious effect on fish and wildlife resources.

Report, respond to, and take action to correct all unregulated releases of substances hazardous to the environment.

Protect public health, public and private property, and fish and wildlife from inappropriate use of pesticides.

1. Limit use of pesticides to effectively target actual pest populations;
2. Prevent direct or indirect entry of pesticides into the waterway; and
3. Minimize the exposure of people, fish, and wildlife to pesticides.

Policy 8.4 Prevent and remediate discharge of petroleum products.

The handling of petroleum products near water bodies must be undertaken with utmost care.

The following standards should be applied in the Chautauqua Lake communities:

- Prevent discharges of petroleum products by following methods approved for handling and storage of petroleum products and using approved design and maintenance principles for storage facilities.
- Undertake clean-up and removal activities in accordance with the guidelines and procedures contained in the New York State Water Quality Accident Contingency Plan and Handbook giving first priority to minimizing environmental damage.

Policy 8.5 Encourage the safe transportation of hazardous substances and wastes through the Chautauqua Lake area.

Policy 8.6 Site solid and hazardous waste facilities to avoid potential degradation of water resources in the Chautauqua Lake area.

The WRA of the Chautauqua Lake communities is an area in which the communities are seeking to create a waterfront that is attractive to tourists and residents. The WRA also includes a concentration of population not present in the outlying areas of many of the communities. For these reasons, the siting of solid waste and hazardous waste facilities within the WRA shall be avoided.

Public Waterfront Policy

Policy 9

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

Along many stretches of the waterfront physical and visual access to waterfront lands and waters is limited for the general public. A majority of the shoreline of Chautauqua Lake is owned by private

owners, private associations or quasi-public entities such as the Lutheran Church or YWCA (Lake Access identified in Section II on pages 27-30 and in Protected Features on pages 47-50). Limitations on reaching or viewing the waterfront are further heightened by the general lack of opportunity for diverse forms of recreation at many of the sites that do provide access. The majority of multi-purpose access points are clustered along the southeastern shoreline in the communities of Busti, Lakewood, Ellicott and Celoron. The only other multi-purpose facilities are located in Mayville, Bemus Point and in Long Point State Park, which are a significant distance apart. Marinas, two excursion boats and the Chautauqua Institution provide additional opportunities to access the lake for a fee.

The main objective of the Chautauqua Lake communities is to improve and protect the facilities that exist, providing increased public access to the shoreline and waterfront recreation facilities. In addition to these improvements Lakewood, Busti and North Harmony have identified opportunities to increase public access to the waterfront, and to waterfront recreational facilities, as well as linking existing and proposed access and recreation sites. The Chautauqua Lake communities will take the necessary steps to maximize the use of the waterfront for public access in a manner that will not adversely impact sensitive natural resources.

This policy incorporates measures to provide public access throughout the Chautauqua Lake communities. The need to maintain and improve existing public access and facilities is among the measures, and is necessary to insure that the use of existing access sites and facilities is optimized for existing demand.

Policy 9.1 Promote appropriate physical public access and recreation throughout the waterfront area.

Improving public access to the Chautauqua Lake's waterfront is important. Public access and recreational facilities will improve the quality of life for residents and benefit tourism.

Park development and improvement projects in Celoron, Lakewood, Ellicott, Busti, North Harmony, Mayville and Bemus Point will enhance the recreational and access opportunities available. Development of the Cheney Farm property, the Stow Farm property, and operation of Midway Park by the State of New York could also provide both additional recreational and access opportunities in the Chautauqua Lake area and further boost for tourism.

The following standards should be used as a guide for Chautauqua Lake communities in making future decisions regarding public access and expanding recreation opportunities within the WRA:

Provide a level of public access and type of recreational use that takes into account the following factors:

1. Public demand for access and recreational use
2. Type and sensitivity of natural resources affected
3. Purpose of public institutions, which may exist on site
4. Accessibility to the public access site or facility
5. The needs of special groups such as the elderly and persons with disabilities

6. The potential for adverse impacts on adjacent land uses

Protect and maintain existing public access and water-related recreation facilities by:

1. Working to avoid the physical deterioration of facilities due to lack of maintenance or overuse.
2. Preventing any on-site or adjacent development project or activity from directly or indirectly impairing physical public access or adversely affecting its quality.
3. Protecting established access and recreation facilities.
4. Protecting and maintain the infrastructure supporting public access and recreational facilities.

Promote acquisition of additional public park lands to meet existing public access and recreational facilities.

Provide for public access at streets terminating at the shoreline.

Provide access and recreation facilities to all members of the public whenever access or recreation is directly or indirectly supported through federal or State projects or funding.

Work to develop physical access linkages among public access sites, open space areas, public trust lands, and near shore surface waters in Busti, Mayville, Bemus Point/Ellery and Celoron/Lakewood.

Policy 9.2 Provide and protect visual access to waterfront lands and waters or open space at all sites where physically practical.

The Chautauqua Lake area offers diverse topography that affords some spectacular views of Chautauqua Lake from both the uplands and the lake plain. Many views can be enjoyed from I-86, NYS Route 394, NYS Route 430 and points along some local roads; however, many views are obstructed or partially obstructed at some locations by structures, woods or vegetation. To the extent feasible, views of Chautauqua Lake from roads and public access locations shall be expanded to allow full appreciation of the beauty of this resource, and to increase the attractiveness of the waterfront for residents and tourists.

The following standards should be applied with respect to increasing visual access to waterfront lands and water:

- Encourage maintenance of State properties such as the Cheney property, the I-86 overlook, the Stow Farm and Tom's Point to avoid loss of viewsheds.
- Protect view corridors provided by streets and other public areas leading to the waterfront.
- Protect visual access to open space areas associated with natural resources.
- Allow vegetative or structural screening of uses that detract from the visual quality of the waterfront.

- Provide “pull-offs” along public roads at appropriate locations, interpretive exhibits, or kiosks to enhance opportunities for visual access to the waters of Chautauqua Lake wherever practical.

Policy 9.3 Assure public access along public trust lands above the line of mean low water.

Provide access to, and reasonable recreational use of, navigable waters and public trust lands under water.

Policy 9.4 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:

1. The intensity of anticipated recreational and educational activity.
2. The level of disturbance associated with the proposed activity.
3. The sensitivity of the natural resources involved and the extent of the ecological benefits associated with the disturbance of the area.

Access should be limited where the uncontrolled public use of a recreational facility or public access site would lead to impairment of natural resources. In the WRA, Tom’s Point and the Busti Wetland Preserve are such resources. These areas contain many natural resources that should be open to the public, while, at the same time, these resources need protection from potential public abuse.

The following additional standards and guidelines shall be applied in analyzing recreation and public projects along waterfront areas:

1. Provide access using methods and structures which maintain and protect the natural resources of the area and open space areas associated with the natural resource.
2. Provide public access for natural resource related activities provided that the level of access would not result in a loss of resources necessary to continue supporting these uses.
3. Impose seasonal limitations, i.e., limited access during especially wet conditions, on public access where necessary to avoid adverse environmental impacts.

Working Waterfront Policies

Policy 10

Protect Chautauqua Lake’s water-dependent uses and promote siting of new water-dependent uses in suitable locations.

There is a finite amount of waterfront space suitable for development purposes. Consequently, while demand for any given piece of property will fluctuate in response to varying economic and social conditions, on a local level, the only reasonable expectation is that long-term demand for waterfront

space will intensify. The following are existing water-dependent uses that were identified during the inventory process for this document:

Marinas - The Villages of Celoron, Mayville and Bemus Point and the Townships of Busti, North Harmony, Chautauqua and Ellery have marina facilities on their shoreline. These marinas provide services and products to lake residents and visitors alike.

Public Launches – The communities of Celoron, Lakewood, Chautauqua, Mayville, Ellery and Bemus Point have public launch facilities located within their boundaries.

Swimming – Public swimming beaches are located within the communities of Lakewood, Mayville and Bemus Point and within the New York State Park at Long Point.

Commercial / Nature / Parks – The following water-dependent commercial uses are located within the Waterfront Revitalization Area (WRA): The Summer Wind Cruise Boat; The Lakewood Yacht Club; The Bemus Point/Stow Ferry; The Chautauqua Belle Cruise Boat; Evergreen Outfitters; and The Casino Restaurant. In addition Tom’s Point and Long Point State Park are both public water-dependent uses in the WRA.

The intent of this policy is to protect existing water-dependent commercial and recreational uses and to promote their future siting in accordance with the reasonable expected demand for such use.

Policy 10.1 Protect water-dependent uses.

Water-dependent uses are defined in Policy 1.2 as an activity, which requires a location in, on, over, or adjacent to the water because such activity requires direct access to the water and the use of water is an integral part of such activity. Actions should be avoided which would adversely impact or interfere with existing water-dependent uses. Existing uses should be maintained and enhanced where possible and appropriate.

Policy 10.2 Promote the siting of new water-dependent uses at suitable locations along Chautauqua Lake.

Sites suitable for development or redevelopment along Chautauqua Lake that are not residential, steep sloped, or publicly owned or protected, are very limited. New water-dependent uses should be located within developed areas that contain concentrations of water-dependent commercial and recreational uses and essential support facilities. Water-dependent uses should be discouraged from rural or undeveloped areas unless there is a lack of suitable sites within a nearby community center and there is demonstrated demand for the use, the use has unique locational requirements that necessitate a particular site, or the use is of a small scale and is consistent with the character of the area. Careful review of each project is required to ensure the development does not adversely impact the natural environment, existing communities or scenic or aesthetic resources.

- Encourage the location of new water-dependent development within the commercial waterfront zoning districts in the Chautauqua Lake communities.

- Seek to attract a mix of unique, water-dependent uses that increase economic activity within commercial centers surrounding Chautauqua Lake.
- Ensure waterside and landside access, as well as upland space for parking and other facilities, is adequate.
- Evaluate whether the necessary infrastructure exists or is easily accessible. - Promote standards as outlined in Policy 1.2

Policy 10.3 Allow water-enhanced uses which complement or improve the economic viability of water-dependent uses.

In addition to water-dependent uses, certain uses which are enhanced by a waterfront location may be appropriate to locate along the shoreline, though not in a manner which would preclude future water-dependent uses. Water-enhanced uses are defined as activities that do not require a location on the waterfront to function, but whose location on the waterfront could add to the public enjoyment and use of the water's edge, if properly designed and sited. Water enhanced uses are generally recreational, cultural, commercial, or retail in nature.

Many water-dependent uses are often supported by water-enhanced uses that are complementary to the water-dependent use and do not impair the ability of the water-dependent use to function. Water-enhanced uses should be compatible with water-dependent uses, provide beneficial support, and be a positive impact on the waterfront.

- The use would complement existing or proposed water-dependent uses and serve to draw more visitors to waterfront.
- The use would be sited and operated so that it does not interfere with water dependent uses.
- The use would be sited in a manner, which, as far as can be determined, does not preclude the further expansion of a water-dependent use.

Policy 11

Promote the sustainable use of fish resources in Chautauqua Lake

Chautauqua Lake supports an abundant and diverse warm water fish population with bass, walleye, muskellunge and perch being the predominate species (Fish and Wildlife identified in Section II on page 61). Although commercial fishing plays no role in the local economy, recreational fishing contributes greatly to the economy with both summer and winter fishing opportunities. Chautauqua Lake was ranked second out of the major New York State inland waters in the number of angler days expended in 1996. Chautauqua Lake also ranked seventh out of 23 major New York waters in estimated expenditures associated with angling trips in 1996, by some estimates this may amount to approximately 11 million dollars.

The area from the Prendergast Point boat launch facility, south along the shoreline to the Prendergast Creek Wetland Preserve, has been designated as a State Fish Hatchery area. Tom's Point, at Stow, is the only designated Wildlife Management Area in the WRA. The New York State DEC has also purchased property in North Harmony (the Stow Farm in partnership with the Chautauqua Watershed Conservancy) and in Ellery (the Cheney Farm), but neither has been officially designated yet.

Continued use of fish resources depends on maintaining long-term health and abundance of fisheries resources and their habitats in Chautauqua Lake. This requires active management of fisheries, protection and conservation of habitat, and maintenance of water quality at a level that will foster occurrence and abundance of these resources. Allocation and use of available resources must: (1) be consistent with the restoration and maintenance of healthy stocks and habitats, and (2) maximize the benefits of resource use so as to provide valuable recreational experiences.

Policy 11.1 Ensure the long-term maintenance and health of fishing resources in Chautauqua Lake.

- Ensure that recreational use of fish resources are managed in a manner that:
 1. places primary importance on maintaining the long-term health and abundance of fisheries;
 2. results in sustained useable abundance and diversity of the resource;
 3. does not interfere with population and maintenance and restoration efforts; and
 4. uses best available scientific information in managing the resources.
- Protect and manage native stocks and restore sustainable populations of indigenous fish and wildlife species.
- Foster occurrence and abundance of fishing resources through:
 - protection of spawning grounds, habitats and water quality.

Policy 11.2 Promote recreational use of Chautauqua Lake fisheries.

Provide adequate infrastructure to meet recreational needs, including appropriate fishing piers, dockage and parking.

Policy 12

Protect existing agricultural lands in and adjacent to the Chautauqua Lake Waterfront Revitalization Area.

Many Chautauqua Lake communities contain established State Agricultural Districts in their uplands (State Agricultural District I identified in Section II). They support the policies associated with these districts as established under Article 25-aa of the New York State Agriculture and Markets Law. While agriculture has played a significant role in Chautauqua County, and many of the Chautauqua Lake

communities, this role has diminished in recent years, leaving many agricultural parcels out of production.

Land in the uplands that is in State Agricultural districts is, at times, adjacent to segments of the Chautauqua Lake Waterfront Revitalization Area. The intent of this policy is to minimize the impacts on farm operations from development that may occur within the Waterfront Revitalization Area. Currently only 28.2 acres of agricultural land exists in the Waterfront Revitalization Area that is part of a State Agricultural District. Undeveloped land is at a premium in the Waterfront Revitalization Area and agricultural uses are not anticipated to be reestablished within the boundaries due to availability and economic factors.

For the purposes of this policy, agricultural lands are defined as follows:

- Land included in agricultural districts as created under Article 25-AA of the Agriculture and Markets Law; lands comprised of soils classified in soil groups 1,2,3, or 4 according to the NYS Department of Agriculture and Markets Land Classification System; or lands used in agricultural production, as defined in Article 25-AA of the Agriculture and Markets Law.

Policy 12.1 Protect existing agriculture and agricultural lands from the creation of adjacent uses that would threaten agricultural production.

Conversions of land to other land uses, primarily residential, often create indirect threats to agricultural production and lands due to the incompatibility of new development with existing farming.

- New development located adjacent or in proximity to agricultural land or uses should provide sufficient buffer between agricultural and non-agricultural lands to protect agricultural uses from interference from non-agricultural uses, and protect non-agricultural lands from potentially offensive agricultural practices.

Policy 13

Promote appropriate use and development of energy and mineral resources.

The intent of this policy is to foster the conservation of energy resources in the Chautauqua Lake communities.

Policy 13.1 Conserve energy resources

The conservation of energy should be an important part of all communities' future planning efforts. Energy efficiency can be achieved through several means that fall into the jurisdiction of local governments, including the following:

- Promoting the use of public transportation, such as the Chautauqua Area Rural Transit System (CARTS) system, where practical.

- Promoting energy efficient design in new development.
- Promoting greater energy efficiency when upgrading public facilities.
- Providing for pedestrian and bicycle modes of transportation and their integration into the larger transportation system.

Policy 13.2 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 in the Chautauqua Lake communities is done in accordance with State DEC regulations.
- Liquefied natural gas facilities must be properly sited and operated.
- Natural resources must be protected by complying with local, county and State oil spill contingency plans.

Policy 13.3 Ensure that mining, excavation, and dredging do not cause an increase in erosion, or an adverse effect on natural resources.

This policy regulates mining, excavation and dredging activities in the WRA of the Chautauqua Lake communities. Due to the disruptive nature of these activities and the environmentally sensitivity of the area, caution must be exercised to ensure these activities do not adversely affect natural resources.

Mining is assumed to be an inappropriate use in the Chautauqua Lake WRA, along the waterfront in particular. Factors to be used in determining the appropriateness of mining operations include:

- Compatibility with adjacent uses.
- Loss of use of the site for other potential uses.
- Alteration of waterfront geological landforms.
- Adverse impacts on natural resources
- Degradation of visual quality

Dredging may prove to be essential for waterfront revitalization and development in some areas (Dredging identified in Section II, page 60). Dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important waterway resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil site. Dredging permits may be granted by the State if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels, which satisfy dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25 and 34).

Section IV. Proposed Land and Water Uses and Proposed Projects

An aim of the LWRP process is for communities to critically rethink how their waterfronts and relating properties can best be utilized. More specifically, the LWRP aids the community process of identifying how these areas can be integrated to create economic and recreational opportunities for both the local residents and tourists. As a result, new project ideas are often realized as community members begin discussing these issues.



This section provides guidance on the planning considerations and development opportunities along the Chautauqua Lake Communities waterfronts and related areas. The opportunities presented outline a long-range plan for how the Chautauqua Lake Communities may better utilize their waterfront and related lands. The proposed projects are coordinated development efforts and ensure that the land and water resources are used to their fullest and best potential.

The proposed projects identified in this section are a result of individual meetings, community workshops and monthly meetings with the local LWRP committees. The projects are sensitive to the existing land uses and patterns of development, and most are merely refinements and expansions of existing uses. Utilizing this approach helps ensure that the projects presented are practical and attainable by the communities involved.

The strategy for managing water uses is set forth in the Harbor Management Plan included in Appendix C.

Village of Celoron

Our vision for the future of the Celoron waterfront is:

- A street of shops with historical memorabilia leading to the water;
- A beautiful Boulevard Street with little shops, restoration to the feel of the old days;
- Continue the legacy of wide access to the lake for all.

Land and Water Use Recommendations

The majority of the land uses within the Village of Celoron remained consistent with existing development patterns, with the exception of the Boulevard and Dunham Street corridors. The Boulevard Street corridor is defined as the parcels abutting Boulevard Street on the south side from the Jamestown City line to the intersection with Dunham Street and all the parcels on the north side of Boulevard Street bounded on the east by the centerline of Waverly Street, on the south by the centerline of Duquesne Street and on the west by the centerline of Dunham Street. The Dunham Street corridor is defined as the parcels abutting Dunham Street from its intersection with Chautauqua Lake and ending at the intersection of Dunham Street with the centerline of Duquesne Street.

The land use along the south side of the Boulevard Street corridor is predominately a mix of traditional commercial uses and residential. The north side of the Boulevard Street corridor is a mix of water-dependent uses such as the marinas and recreational uses. The Dunham Street corridor is a mix of commercial and recreational uses, and a large vacant parcel along the lake that is currently zoned multi-residential.



Most of the described corridors are zoned commercial. In order to revitalize the corridors the community may need to examine the possibility of increasing the number of commercial properties through the expansion of the existing commercial zone back to the centerline of Duquesne Street. In addition, the boundary of the multi-residential district that borders a portion of Dunham Street may need to be relocated to accommodate any development of the large parcel bordering Dunham Street and the lake. The current uses allowed in the commercial districts should be reevaluated to assure they meet the community's future plans. These changes should be evaluated after a comprehensive development plan, based upon the LWRP, is created for this area. Proposed uses in the LWRP will maintain and strengthen both the economic viability and recreational usage of these uses.

Proposed Waterfront Development Project

Repair Existing Breakwall

The Village of Celoron has gradually invested in waterfront improvements as finances have allowed. In 2001 the community built a lighthouse replica at the public boat launch and in 2003 both a new public dock and an upgrade to the public boat launch occurred. The existing breakwall has begun to tip out in some areas and needs to be extended to the end of the Lucille Ball Memorial Park property line.

The park is an integral part of the downtown area and its success. Improvements to the breakwall will protect and enhance the investments in the public open space that this small community has made.

Proposed Waterfront Related Projects:

Downtown Development Plan

The Village of Celoron's downtown area was once a vibrant area along Chautauqua Lake. The community was home to an amusement park, a dance hall and acted as a stop for steamers. As with many of the Chautauqua Lake communities, these historical attractions have disappeared due to a variety of factors and trends, both economic and societal, which shaped the communities and the area.



A key component to the revitalization of this community is the renewal of the Village of Celoron's downtown, which encompasses the waterfront. To succeed at a renewal effort, Celoron will need to complement the work done in this LWRP document with a downtown development plan. The plan will be comprised of additional components such as; a streetscape plan, a park development plan, and a parking plan. The development plan should be created through a participatory planning process and result in clear long and short-term goals and conceptual designs for each component of the plan.

The Village of Celoron's current comprehensive plan was written in 1970 and the zoning in 1984. It is critical to the success of the community to update their planning efforts beyond the scope of the most recent LWRP efforts.

Streetscape Development

The Village of Celoron's commercial district has experienced little growth in the past three decades. A majority of the general day-to-day shopping needs of residents and visitors are provided by the large retail developments along NYS Route 394. In order to become economically viable, the commercial area of Celoron will need to focus on its waterfront location and encourage uses that are water-enhanced, water-dependent or play off of the rich historical background of the area.

Celoron's commercial district, located along County Route 67 (Boulevard Street) and adjacent to the waterfront area, is positioned along a local travel route. Residents of Lakewood, Busti and portions of the City of Jamestown use this route to avoid the congestion surrounding the retail development along NYS Route 394.

The Village of Celoron recognizes the opportunities that exist to improve upon their downtown. In order to promote the downtown, capture local traffic and create a destination for tourist to visit, the recreational opportunities and unique commercial ventures will need to be integrated. The Village has identified, as an initial step, the need to improve upon the streetscape of the downtown commercial areas along both Boulevard and Dunham Streets. It is anticipated that the proposed improvements would improve upon and coordinate the facades of existing businesses, provide for pedestrian amenities, and integrate the Lucille Ball Memorial Park. Adjoining the area is also a large private parcel that was once the site of the Celoron Amusement Park. Such a streetscape plan could also develop options that can later be used by a developer to ensure the incorporation of the development into the overall streetscape.

Lucille Ball Park Improvements

The Lucille Ball Park is the centerpiece of the downtown of Celoron and provides public access to the waterfront for residents and tourists alike. The park currently provides a baseball field, a pavilion and a community center. The park's open space has great potential to complement the adjacent downtown commercial area. The community, with limited funds, has added components over time, but a comprehensive park design has never been completed or followed.

Committee members identified several inadequate or missing components in the current design such as: the need for improved landscaping, the need to update the parking area, a lack of historic landmarks or placards, the need to upgrade the electric service for park lighting, drainage issues in portions of the

park, the need for additional seating for the baseball area, and the benefits of a gazebo or bandstand for concerts in the park area along the waterfront. It is recommended that this project be done in multiple phases beginning with a conceptual design of the park and surrounding area created by a landscape architect.



The first phase could conceivably be integrated into the downtown streetscape efforts. The remaining items identified by the committee or other needed concepts identified during the design process could then be prioritized and implemented over time.

Development of Old Celoron Amusement Park Site

The large vacant site adjacent to the boat launch and park provides one of the most extensive views of Chautauqua Lake in the area. The site is privately held and may one day be developed. The community does not wish to remove such a valuable piece of property from the tax role. However, a private / public effort may allow for development to occur that preserves views, enhances access, and complements the adjacent areas that are so critical to the Villages economic future. Recognizing that this effort may require partial acquisition, development of certain components or other undetermined projects that will benefit the public, the Village has listed this as a future project.

Gateway Enhancements along Dunham Street

The Village of Celoron has identified the area along Dunham Street as a gateway to the community as well as an extension of the commercial area situated along Boulevard Street. The development of Dunham Street will be considered when developing a streetscape plan for the community. It is anticipated that such a plan will require improvements such as; enhanced pedestrian amenities, new lighting schemes, plantings, façade work and signage. These plans will help enhance the efforts in the downtown area and the waterfront area.

Band Shell

The addition of a band shell to the Lucille Ball Memorial Park has been identified as a key component. This will be a critical component of the downtown revitalization efforts and enhance both the downtown and waterfront. A band shell would make the park more events oriented and further establish it as a point of destination for residents and tourists alike. The band shell should be a component of the park plan when developed.

Incorporate Trail Network from Celoron to Busti

The comprehensive plans for all municipalities surrounding Chautauqua Lake called for the establishment of linkages between all park areas surrounding the lake. The Village of Celoron should examine the potential for insuring that walking or cycling opportunity exists between the Lucille Ball Memorial Park and the Burtis Bay Park. Due to the unique configuration of municipal boundaries it is suggested that this be a joint effort between the Village and the Town of Ellicott.

Town of Ellicott

Our vision of the future of the Town of Ellicott waterfront is to:

- Provide residents park space on the lake by improving Burtis Bay Park with restrooms, concessions, and an improved baseball diamond;
- Develop beachfront;
- Develop public access for a launch site;

Develop walkways on the Fluvanna side of the lake for nature walks through the creation of walkways on the rail bed.

Proposed Land & Water Use Recommendations

Land uses within the WRA in the Town of Ellicott are consistent with the existing land use development patterns. The Town of Ellicott is a diverse Township with the Village of Falconer, and the Village of Celoron within its boundaries. The area within the WRA, which constitutes a very small portion of the Township, primarily consists of residential land uses. The WRA area on the southern shore of Chautauqua Lake is comprised of residences along the Burtis Bay area. The WRA area on the northern shore consists of wetlands and the residential areas of Bonita and Fluvanna. The projects proposed within the WRA are consistent with the existing land uses and will support the surrounding neighborhoods.

Proposed Waterfront Development Projects

Build Aluminum Dock at Burtis Bay Park

Burtis Bay is a shallow bay in the southeastern end of Chautauqua Lake. As such, the bay traditionally freezes over during the winter months. The Burtis Bay Park development plan calls for the installation of a removable aluminum dock to provide both handicap and fishing access to the lake. The dock is a component of the larger Burtis Bay Park plan created by Habiteria and Associates in 1994 for the Town

of Ellicott. The Town of Ellicott comprehensive plan created in 1970 called for the development of such a waterfront park for the Township's residents.



Establish Small Boat Launch at Burtis Bay Park

A number of factors make Burtis Bay Park the ideal location to establish a small boat launch to serve kayaks, canoes and other small crafts. The park plan, when implemented, will create adequate parking to serve the multiple users of Burtis Bay Park. The launch point, which is part of the park plan, will complement Celoron's launch by serving the needs of small boat users. In addition, Burtis Bay Park is located on a fairly shallow area of the lake and is close to the lake's outlet, which makes the area suitable for small craft.

The current park plan calls for establishing the launch at the southern end of the park adjacent to the handicapped parking and picnic areas (see attached master plan).

Clean Up of Lakeshore at Burtis Bay Park

The Burtis Bay Park plan calls for the establishment of a beach area in the future. The shoreline of the park is in a natural vegetative state and will need to have some vegetation removed to accommodate the proposed beach area, aluminum dock area and to take advantage of the scenic vistas

It will be critical to the success of the park plan, in the current configuration, to identify issues that contribute to the need for shoreline cleanup. An annual operating plan should be developed to address any issues prior to establishment of a beach area. See [Burtis Bay Park Master Plan](#).

Proposed Waterfront Related Projects

Implement 1994 Habiteria Associates Plan for Burtis Bay Park

- Develop Two Soccer Fields

- Add Trees and Shrubs in Burtis Bay Park and Along Both Lakeside Boulevard and Reid Street
- Develop parking (including handicap parking) Along Lakeside Boulevard and Reid Street
- Install Fencing along Roads
- Provide for Future Beach Area
- Install Walking and Bike Asphalt Trail through Park
- Add Picnic Spaces and Playground to Burtis Bay Park
- Upgrade Ball field at Burtis Bay Park
- Install Restroom Facilities at Burtis Bay Park

The components of the Burtis Bay Park Plan are predominately water-related projects that will enhance the waterfront park. These projects are listed together and can be implemented as a whole or on an individual basis by the community as resources become available. It will become necessary for the Town to work with an engineer to develop a construction phasing sequence and estimated costs for each component.

The completion of this project will provide a park that is sports and recreation oriented. Such a park can be expected to serve not only the Town of Ellicott and its West Ellicott residents but also the communities of Celoron and Lakewood.

Create Trail between Celoron and Lakewood along Old Rail Line

The comprehensive plans for all municipalities surrounding Chautauqua Lake called for the establishment of linkages between all park areas surrounding the lake. The area between Burtis Bay Park and the Lakewood Community Park consists of a narrow area between the shoreline and the railway. The Town should examine what options exist to provide a linkage that is accessible to cyclist and pedestrians. Physical constraints may make the most direct route unfeasible and alternate routes may need to be considered.

Work with Watershed Conservancy to Develop Trail System through Bonita Wetlands

The Chautauqua Watershed Conservancy has purchased a 50-acre portion of the 162-acre wetlands that exist in the Bonita area in the Town of Ellicott. The 50-acre parcel contains 2,880- feet of undeveloped shoreline. The natural resources contained within the wetlands, and on this parcel, provide an opportunity for visitors and residents to see wildlife associated with the lake in its natural setting. Facilities that provide for both wildlife observation and study and nesting areas should be established. The Bonita wetlands are also adjacent to the outlet of Chautauqua Lake and may provide a linkage to the proposed “River Walk” project in the City of Jamestown.

Upgrade Stormwater Systems to Minimize Nonpoint Pollutants

Portions of the current system is outdated and in need of upgrade, repairs and in some areas replacement. The design of the existing stormwater systems may not be capable of handling runoff from some of the developed parcels along Fairmount Avenue and in West Ellicott. The Town needs to study the systems servicing this area to ensure future development designs include adequate drainage techniques and detention / retention devices to capture sediments contained in runoff. The storm water system of portions of the Town either directly enters the lake or a tributary that feeds the lake

compromising the water quality with nonpoint water pollution. The many types of pollutants the stormwater may carry include:

- Sediments, which cause turbidity
- Nutrients, such as phosphorus and nitrogen, which cause eutrophication
- Bacteria, which cause public health hazards
- Dissolved oxygen depletion, which causes loss of aquatic life
- Oil and grease, which are toxic to aquatic life
- Trace metals, which are toxic to aquatic life and can contaminate drinking water
- Toxic chemicals, which present a public health hazard
- Chlorides or salts, which are toxic to many freshwater aquatic organisms at high levels;
- Thermal impacts, which can harm species adapted to cold water.

To address these issues, the Town can take several different courses of action:

- Hire a professional engineering consulting firm to study the Fairmount and West Ellicott area and recommend mitigating actions
- Develop stormwater management guidelines for the Town, such as including stormwater detention/retention systems in any new developments or redevelopment of properties
- As part of the Capital Improvement Program, the Town should create a stormwater sewer maintenance program and begin the program in the next one or two years

Village of Lakewood

Our vision of the future of the Lakewood waterfront is:

- Coordinated participation of citizens, with the support of the County and the State, in ensuring the survival of the lake because it is precious and it is our single greatest economic asset;
- A beautiful lake with clean water and aesthetically pleasing surrounding areas that are inviting to local residents and visitors;
- Pedestrian-friendly walkways to the beach, bathing and boating facilities for visiting boaters to shop and dine, and recreational opportunities for all age groups.

Proposed Land & Water Use Recommendations

Land uses within the WRA in Lakewood are consistent with the existing land use development patterns. The Village of Lakewood primarily consists of residential land uses with commercial uses along both Fairmount Avenue and Chautauqua Avenue. The existing residential character should be maintained and protected in the Village.

A significant section of the WRA includes the Village Business District along Chautauqua Avenue. The Village has made significant investments in this corridor to upgrade the infrastructure. A committee is currently working on principles and standards for developing the built environment within this district.

The intent of these requirements should be to assist both the property owners and the Village to develop a coordinated and complementary physical form of the façade treatment and the streetscape including signage, plantings and street amenities.

Proposed uses within the WRA will further complement the existing investments and improve public access locations, as well as connect the waterfront to the Village Business District.

Proposed Waterfront Development Projects

Improve Street Endings – Trees, Small Craft Launches, Design as Cycling and Walking Stops

The Village of Lakewood is unique due to the number of streets that end at the shoreline. The street-ends have provided access to the lake for upland residents and visitors. The Village has maintained a program that allows private docks to be established on the public right of ways to provide docking access for upland parcels if owners obtain permits and provide proof of insurance.

The street-end access points vary in quality. Upgrading select street-end access points, where appropriate, through the addition of benches and trees would benefit all residents and visitors with increased access to the lake. The improvements would also complement the pedestrian and cycling orientation of the community. No formal engineering has been completed on this project.



Conserve and Improve Stream Corridors

The Village of Lakewood has three stream corridors within its boundary, Crescent Creek being the most significant of the three. Flood zones, according to the Federal Insurance Administration's Flood Insurance Rate Map (FIRM) dated November 2, 1977, surround all three streams. The Village, in an effort to protect property along these corridors enacted a "Floodplain" overlay district as a portion of their zoning code. This district, although protecting property within primary (Zone A) floodways, fails to adequately address erosion and sedimentation controls and Zone B flood zones.

The Village recognizes the impacts that large developments along Fairmount Avenue are having on downstream property and the lake. New developments are encouraged to provide adequate retention and detention basins to minimize these impacts. The Village should perform a study of Crescent Creek and the surrounding lands that contribute to its flow, being the most significant and flood prone tributary, to devise specific regulations that adequately protect downstream property and the lake from further damage. The feasibility of creating a sedimentation staging area between Fairmount and Summit Avenues needs to be evaluated as part of any stormwater system study to address the current capacity issues that contribute to flooding events.

In addition, it is necessary to work on the downstream segments of the stream corridors within the Village to remove sediments deposited both in the lake and the stream ends. The Village has traditionally attempted to perform some of these projects utilizing in house staff. Informal assessments of the current level of sedimentation, especially in the deltas, indicate that specialized equipment may be required to properly remove the materials. Implementation of a program to remove sedimentation will enhance the ability of the boating public to utilize Lakewood's area of the lake safely. The Village has not requested formal cost estimates to undertake such projects.

Enlarge Beach at Hartley Park

The Village of Lakewood has created a Master Plan for Chautauqua Avenue and Hartley Park. The plan calls for the expansion of the existing swimming beach an additional 50 feet to the east and additional improvements to that area of the park. Hartley Park contains the sole public swimming beach at the southeastern end of Chautauqua Lake and is heavily utilized.



The project, in its entirety, would consist of the installation of 100 additional feet of retaining wall, 1500 square feet of new beach, vinyl fencing, lighting, six new picnic tables and grills, and the expansion of

the existing privacy hedge. Initial engineering estimates obtained by the Village place the costs at \$83,500 for the project.

Install Public Dock at Hartley Park

The Village of Lakewood has invested \$1.8 million dollars in the upgrade of the infrastructure on Chautauqua Avenue. This work was as a result of the Lakewood Local Development Corporation efforts to revitalize the Village's downtown and establish a link between the lake and the downtown corridor. Hartley Park is located at the end of Chautauqua Avenue and acts as the open space link between the business corridor and lake. The Village of Lakewood, as part of the downtown redevelopment efforts, has identified the installation of a public dock at Hartley Park as an opportunity to provide lakeside access to the Village's commercial center on Chautauqua Avenue. This project would also complement the other primary park project, which will provide a crescent overview of the lake and seating for events within the park. Cost estimates have not been obtained for this portion of the overall park project.

New Breakwall or Rip Rap at Hartley Park

The breakwall that protects the shoreline of Hartley Park from erosion and flooding is composed of two distinct portions. The original portion, which is severely deteriorated, is in need of replacement. This breakwall segment has reinforcement rods exposed and has needed to have the steps to the shoreline removed for safety reasons.



Improving or replacing this segment of breakwall will protect the investments made in Hartley Park and enhance the overall appearance of the park. Cost estimates have not been obtained for this portion of the overall park project.

Improve Boat Launch at Community Park

The Village of Lakewood maintains three parks to provide access to Chautauqua Lake. Community Park serves to provide picnic facilities and boat launching opportunities outside of the downtown area where parking is limited. The Village has invested in a single cement launch and an accompanying aluminum dock to provide boats lake access at the park.

This project consists of two components to improve upon the Village's investment:

- Add additional dock sections to extend the dock further into the lake and supplement the single dock with an additional dock on the other side of the launch.
- Expand the existing launch with additional launching lane to accommodate more boats during peak usage.

The expansion of this launch facility will ensure adequate public launch opportunities exist in this portion of Chautauqua Lake. In addition, this launch relieves parking pressures in the downtown of Celoron during peak periods due to its close proximity.



Proposed Waterfront Related Projects

Create Park to Act as a Village Green on Chautauqua Avenue

The commercial center along Chautauqua Avenue is linked to the Chautauqua Lake by the open space located at its end by Hartley Park. The retail district along Chautauqua Avenue lacks any other open space to complement the built environment. The Village has built into the "Master Plan" for Chautauqua Avenue a park, which will act as a Village green and gathering place for pedestrians in the center of the

retail district. The park will be located at the intersection of Chautauqua and Summit Avenues on a 60' X100' vacant lot, 1000 feet from the waterfront.

Village crews have cleared the lot upon which the park is to be built and have installed retaining walls where necessary. Community residents are currently undertaking a fund drive to attempt to raise funds for this project. This project is one of the last components in the "Master Plan" to be completed.

Build Crescent Overlook Area at Hartley Park

Hartley Park is located at the foot of Chautauqua Avenue. The crescent overlook structure, built on the crest of the hill overlooking the lake, will be a terminus for the street (Chautauqua Avenue) and a threshold to the park.

The structure will be reminiscent of the semi-circular porch of the Kent House, formerly one of Lakewood's turn-of-the century grand hotels, which once occupied the site. Construction will include a 40-foot diameter paved area, masonry walls, and bench seating.

Connecting walkways and ramps for handicap accessibility, a front stairway, and landscaping bring the total area to a 70-foot diameter crescent. The overlook will serve as a viewing platform, speaker's podium, or vantage point to relax and converse with friends. Engineering estimates place the construction costs for this project at approximately \$100,000.

Improve Street Signage and Streetscape along Chautauqua Avenue

The final details of the "Master Plan" for Chautauqua Avenue will include the adoption of new regulations for the guidance of the development of the built environment. The regulations should also provide guidance for signage and streetscape components. Once adopted, the Village will determine project scope and costs to add additional amenities such as benches, trash receptacles, directional signage and plantings. This project is listed in anticipation of the need to complete and finalize the Chautauqua Avenue "Master Plan."

Plant Additional Canopy Shade Trees in Hartley Park

The residents of the Village of Lakewood have invested in the many components that currently exist in the design of Hartley Park.



The park, however, lacks adequate shade in key areas such as the playground. In order to enhance the park, residents have proposed that canopy shade trees be strategically planted in the park to provide shade where necessary while attempting not to obscure key vistas to the waterfront. The use of the proper canopy trees will reduce the chance of blocking views, provide shade, and act as a link to Lakewood's heritage when many of the community's streets were tree lined. A forester or landscape architect should be consulted to assist the community with the selection of appropriate locations and varieties for planting.

Upgrade Playground within Hartley Park

Hartley Park contains two playground areas one for toddlers and the other for school age children. The community has renovated the playground area that serves the younger toddlers. The current playground for school age children at Hartley Park is old and fails to meet today's standards for playground equipment. This playground serves the most densely populated portions of Lakewood's neighborhoods. As part of the overall restoration of Hartley Park it is recommended that this equipment be replaced. A new school age playground will enhance the use of the park by both visitors and residents alike.

Upgrade Community Park

- Plantings of Flowers and Trees
- Expand Picnic Area
- Install Restrooms
- Water Fountain

The Community Park was created to complement Hartley Park by providing additional access to the lake by an alternate group of users. The park is located at the eastern entrance to the Village along County Route 110 and acts as a gateway to the community. The projects listed by the Village for improving this gateway park are minimal and could be accomplished as one comprehensive project. The improvements would enhance the visual impact of the gateway and provide for greater usage of the facility by the

public. The Village will need to develop a conceptual design that integrates all of the components prior to undertaking this project.

Cost estimates are not available for this project at this time.

Incorporate Trail Network from Ellicott to Busti

The comprehensive plans for all municipalities surrounding Chautauqua Lake called for the establishment of linkages between all park areas surrounding the lake. The area between Burtis Bay Park and the Village of Lakewood's most western boundary with the Town of Busti should be examined to assure that both pedestrian and cycling venues exist. The most probable routes would be along Terrace Street and Summit Avenue to New York State Route 394, which has an established bicycle lane. This route would connect the parks and allow for lake vistas while taking visitors through some of the historical neighborhoods of the Village.

Upgrade Stormwater Systems to Minimize Nonpoint Pollutants

The current system is outdated and in need of upgrade, repairs and in some areas replacement. The design of the existing stormwater systems may not be capable of handling runoff from some of the developed parcels along Fairmount Avenue. The Village needs to undertake a study of the systems servicing this developing area to ensure future development design adequate drainage techniques and detention / retention devices to capture sediments contained in runoff. Such a study should also provide alternatives to relieve existing runoff issues. Portions of the system consist of open ditches with inadequate drainage flows, which create stagnant water issues in residential areas of the community. The storm water system of the Village either directly enters the lake or a tributary that feeds the lake compromising the water quality with nonpoint water pollution. The many types of pollutants the stormwater may carry include:

- Sediments, which cause turbidity
- Nutrients, such as phosphorus and nitrogen, which cause eutrophication
- Bacteria, which cause public health hazards
- Dissolved oxygen depletion, which causes loss of aquatic life
- Oil and grease, which are toxic to aquatic life
- Trace metals, which are toxic to aquatic life and can contaminate drinking water
- Toxic chemicals, which present a public health hazard
- Chlorides or salts, which are toxic to many freshwater aquatic organisms at high levels;
- Thermal impacts, which can harm species adapted to cold water
- To address these issues, the Village can take several different courses of action:
- Hire a professional engineering consulting firm to study the sewer problems and recommend mitigating actions
- Develop stormwater management guidelines for the Village, such as including stormwater detention/retention systems in any new developments or redevelopment of properties

- Depending on the severity of the problems with existing stormwater system capacities, a regional stormwater management project may be warranted to correct current problems

As part of the Capital Improvement Program, the Village should create a stormwater sewer maintenance program and begin the program in the next one or two years.

Walking Tour

The Village of Lakewood has a number of well-maintained historical homes. The Village should build on these historical sites through the promotion of the existing walking tour program. Professional brochures should be developed as part of the promotion efforts to tell the story in an organized and attractive manner. Brochures can be made available at locations that will most likely receive tourist patronage such as the shops along Chautauqua Avenue, local restaurants, and the I-86 overlook.

New Sidewalks

The Village of Lakewood has a well-developed pedestrian system surrounding most of the current core of the Village. The area along Terrace Avenue, beginning at Hartley Park and traveling east and west, is the one exception. The establishment of sidewalks in this area would promote Lakewood's Chautauqua Avenue area, increase visual access to the lake from pedestrians and improve upon the pedestrian links to the Town of Busti and Ellicott boundaries.

Town of Busti

Our vision of the future of the Town of Busti waterfront is:

- To promote clean water and preserve the beauty of the lake; the canals; and the wetlands;
- To promote its economic value while protecting its wild, forever-green, and ecologically sensitive areas;
- To create access to and preserve visual enjoyment of the lake;
- To improve the aesthetics of the areas adjacent to the waterfront; and
- To ensure thoughtful use of the lake with awareness of the rights and needs of all of its users.

Proposed Land & Water Use Recommendations

Land uses within the WRA in Busti are consistent with the existing land use development patterns. A small portion of the Town of Busti is located within the WRA and has a diverse cluster of activities due to two primary routes that bisect the area. The area along NYS Route 394 has developed into a recreational-retail area that draws tourists. The existing gateway and lakeshore commercial zone businesses will serve to provide some of the services visitors and residents will need when utilizing the proposed recreational opportunities.

Public shoreline fishing access is limited in this area of Chautauqua Lake. Many fishermen utilize the State right-of-way at creek crossings in the Town of Busti to fish. When the Town acquires shoreline, and is able to provide direct lake access, a shoreline fishing component should be considered.

Proposed Waterfront Development Projects

Acquire Lakefront Property at Vukote to Provide Lake Access

The Town of Busti has developed and maintains Vukote Park. Vukote Park is surrounded by residential properties and, although adjacent to Chautauqua Lake, has minimal lake frontage. The Town would like to acquire land on the lakefront to provide residents direct access to the lake from the park. The Town currently holds a second right of purchase on the Loomis property in front of Vukote Park. The creation of this access point would serve a large geographic area where public access is very limited.

Keep Canal Zone Open at Vukote

The Vukote Canals were constructed in the early 1920's as part of canal front development of cottages. The canals were constructed in order to provide cottages along the canals recreational watercraft access to the lake. Over the years increased sedimentation, primarily from Chautauqua Lake inflows to the canals during storm events, had increased the depth of sediments in the canals to levels that were impeding recreational boat access. In 1999 a major dredging of the canals occurred to improve and restore adequate access to the canals by recreational watercraft.

This proposed project is listed in the anticipation of the need for additional dredging to maintain those levels necessary to accommodate recreational watercraft.



Remove Debris from Goose Creek

Goose Creek meanders within the WRA area from Ashville to Vukote and then enters the lake in Ashville Bay. Kayak and canoe enthusiasts currently use Goose Creek. However, use is restricted by debris that has deposited in the creek.

A clean-up project to remove trees and other debris from the lake to NYS Route 394 needs to occur to enhance the usage by canoes and kayaks. The clean-up project may be approached as a joint effort between North Harmony and Busti as portions of Goose Creek exist in both Towns. In addition, Ashville Outfitters is located in Ashville along Goose Creek in one of North Harmony's commercial zones within the WRA.

Proposed Waterfront Related Projects:

Complete Park Plan for Vukote Park

- Install Smooth Paved Trail
- Bathrooms
- Basketball Court
- Benches
- Gazebo
- Parking Lots
- Volleyball Court
- New Playground
- Add Lighting to Sports Areas

Vukote Park sits on approximately 11 acres of land located on NYS Route 394 between Vukote Road and Loomis Bay Road in the Town of Busti. The park site is mostly unused and unimproved with the exception of a small parking lot, a rundown basketball court, an old playground and three small soccer fields. Before 1996, the park area was privately owned. In 1996, a portion of the park was donated to Busti. In 2000, upon the owner's death, the remainder of the site was donated to the Town. The Town of Busti currently has only one other park with facilities similar to those planned for Vukote Park to serve a population of over 8,000. See [Vukote Park Master Plan](#).

The projects, with estimated costs of approximately \$510,000 (2002 costs), consist of a new 70- space parking lot, a new basketball court, a new playground, restroom facilities, a volleyball court, a gazebo and a half-mile figure eight paved trail.

The Town of Busti recognized that lake access was becoming difficult for many of their residents. In order to serve residents, once the donation of the parkland occurred, the Town solicited community input and then commissioned a design that meets community needs. The projects listed, which may need to be phased, are a result of that community input.

Develop Trail System that Links Wetland Preserve, Vukote Park, Goose Creek and Stoneman Industrial Park

A second section of the trails that will extend south from the park are also a result of the public input solicited by the Town. This section will extend from Vukote Park through unimproved land owned by the Village of Lakewood to the Town of Busti Wetland Preserve, land that is ideal for a nature trail. From there, the trail will run east and link to a walking trail ringing the new Stoneman Industrial Park. When all the trails are completed and integrated, they will comprise a self contained trail system

approximately 6.7 miles in length that will start at the lakefront, run through a public park, a woodland, a wetlands preserve and terminate in an industrial park.

The layout for this trail system has been configured. Engineering estimates place the cost of this project at approximately \$90,000. It is hoped that in the future the local Rails to Trails efforts can be linked and integrated into the Busti Trail system.

Establish Nature Trails / Boardwalks and Improve Wetland Park Area

- Create Parking Area
- Clean Up Front of Wetland Park
- Improve Signage and Promotion of Preserve
- Mark Boundaries of Wetland Park

The Town of Busti's Wetland Preserve consists of 40 acres of wetlands along NYS Route 474. The preserve has never been promoted or improved upon beyond the signage that identifies the property. The Busti Wetland Preserve has not been upgraded to accommodate any form of public use. The citizens of the Town are cognizant of the fragile balance that exists in natural ecosystems and the impacts man can have.



In order to protect natural resources, while providing a unique public access opportunity, the listed projects will need to be accomplished. Existing parking in the right-of-way along NYS Route 474 is inadequate due to its proximity to the wetlands, and a new parking area should be sited and designed to protect and enhance wetland values.

In addition, the Town will attempt to provide residents and visitors an opportunity to view a natural wetlands, and the fauna and wildlife that exist in such a setting, by carefully designing nature trails and boardwalks in select segments of the preserve. These trails will be interpretive in nature and key rest sites along the trail will be equipped with placards and information kiosks. This project will be

coordinated with the trail development extending from Vukote Park to Stoneman Industrial Park. The Town has not sought a design for this project as of the writing of this document.

The Town of Busti should be commended for making the public investment in these natural lands.

Town of North Harmony

Our vision of the future of the North Harmony waterfront is:

- To preserve the natural beauty and character of the lake through controlled growth while fostering wise investment in the infrastructure and physical characteristics that make this part of the lake unique
- To encourage investments in projects such as: the Town waterfront; the Stow corridor; Tom's Point plan; water, sewer and gas service; Cheney Point Park; Stow interchange development; tributaries into the lake; public access to prime areas; and recreation fields in Butts Park
- To seek partners, public, private and local, in these endeavors.

Proposed Land & Water Use Recommendations

Generally, the proposed land and water uses will be consistent with existing use and development patterns. North Harmony is primarily residential with the exception of Stow and Ashville.

The Town's Planning Board has been working on a set of regulations guiding the development of the land surrounding the I-86 exit. A development plan should be created for the area prior to finalizing the regulations. It is suggested that a participatory planning process, such as the method utilized by the State University of New York College of Environmental Science and Forestry (ESF), be used to reach consensus on the development plan. In addition, it is recommended that conceptual designs be created, as part of that process, to assist the community and future developers in interpreting the goals and objectives of the Town for this area.

The Town of North Harmony has five commercial zones. Proposed uses are consistent with the current development patterns in the zones. However, it is recommended that the uses allowed in these zones be adjusted to better suit the goals and objectives of the community.

Proposed Waterfront Development Projects

Encourage Commercial Recreational Development along Goose Creek in Ashville

The economy of the small community of Ashville is based solely on tourism. Ashville's General Store and Evergreen Outfitters both rely on tourist traffic for their survival. In order for the community to survive and grow, the Town must work to develop the necessary tourist related infrastructure such as parking. In addition, projects linking the community to Chautauqua Lake and Goose Creek must be undertaken to encourage a cluster of complementary recreational businesses to develop in the area.

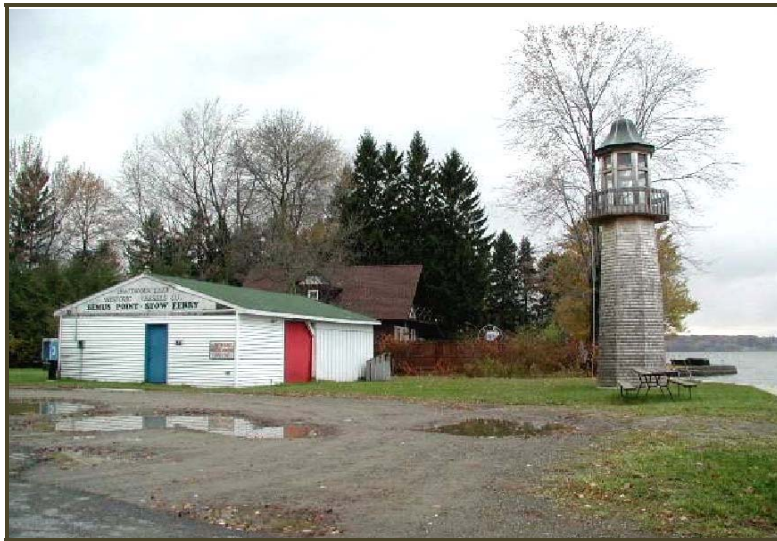
Create Trail along Goose Creek from Ashville to Creek Outlet

Naturalists value Goose Creek and the land it meanders through. Currently the area is primarily accessible by canoe or kayak. The establishment of a trail along Goose Creek from Ashville to Chautauqua Lake would allow controlled access into this area. The trail would complement the Busti Trail system and serve a similar user group. In order to develop the trail the Town will need to obtain easements across private land holdings.

The Town has not developed any formal plans for the trail system. Efforts to develop this area should be coordinated with the Town of Busti, as the trail would occasionally cross municipal boundaries.

Improve Ferry Launch Area

- Parking
- Small Boat launch
- Public Dock
- Picnic Tables
- Create Full Access (Handicap)
- Park
- Dock for Historic Vessels



The ferry launch area, and the boulevard leading to the launch area, should be a primary focus of the development plan efforts undertaken by the community. The ferry launch provides Stow a direct link its neighbor Bemus Point, which has an established tourism trade. The ferry is a viable tourist attraction, as proven by its continued operation after the Veteran's Bridge across Chautauqua Lake was completed. In order to capitalize upon this tourist attraction, with a terminus in Stow the community will need to invest in the landing area. The investments listed above could be done in a single project. The project would enhance the ferry landing, encourage additional tourist traffic to the Stow area, and expand access for residents and visitors to the area.

Fishing Park

The Chautauqua Watershed Conservancy has purchased 5.5 acres of land along Ball Creek.



It is the Conservancy's intent to develop the parcel into a municipal recreation area with tennis courts and a fishing park to provide lake access for shoreline fishing. The park currently has no shoreline and is separated from the lake by a 300-foot, NYS Department of Transportation (DOT) easement. In order to provide fishing access to the public, the Town or Conservancy will need to be granted permission by DOT to utilize the State easement. No plans have been formalized at the time of the writing of this document. Due to the limited public lake access available in North Harmony, it is suggested that the Town work with the Conservancy and the State to develop this parcel and fishing access.

Improve Stow Property

- Trails
- Picnic Areas
- Parking

The New York State Department of Environmental Conservation has recently acquired the Stow Property. The Stow Farm with its 1,100 feet of lakefront is one of the most important fish and wildlife habitats on Chautauqua Lake. The Town would like to see the State develop the parcel to accommodate interpretive trails, a picnic area, a canoe and kayak launch and parking. The State has only owned the parcel for two years and no plans have been developed at this time.

The Town will work with the New York State DEC to encourage the creation of a development plan for the Stow Farm property. Proper development of the parcel will provide additional access and recreational opportunities to residents and visitors while protecting a critical parcel. Joint input will result in a plan that meets the goals and objectives of the community and the State.

Install Boat Launch and Public Dock at Tom's Point

New York State Department of Environmental Conservation owns Tom's Point, a State designated wetland preserve. The parcel is unimproved except for the small parking area and trail provided. The Town of North Harmony believes that it would be possible to install a small boat launch, picnic area and

public dock adjacent to the gravel area of the lakeshore without impacting the wetland preserve. The addition of these two items would encourage better utilization of the Stow area and provide a necessary access point on the Stow portion of the lake. Currently, the nearest formal public launching points are in Prendergast and Lakewood or on the opposite side of the lake at Long Point State Park. The Town plans to explore the possibility of working with the DEC to encourage this development and has therefore listed this as a potential project.

Proposed Waterfront Related Projects

Create Stow Development Plan

Development in the Stow area is currently guided by a comprehensive plan created in 1970 and the zoning code, which was completely revised in 1989. Although there have been recent efforts by the Town of North Harmony Planning Board to improve upon regulations governing the area surrounding Stow (within a one-mile radius), they have yet to be acted upon. The Town needs to create a development plan to assure the orderly development of the Stow area. It is the Town's intent to undertake the creation of a comprehensive development plan to supplement the work began with the LWRP prior to beginning projects in the Stow area

Establish Façade Improvement Program to Implement Stow Development Plan

A program to improve streetscape components and coordinate and improve facades will be established. The program components will be based upon the guidelines and concepts created as a part of the Stow Development Plan. This program will require funding to assist with engineering, construction and installation of streetscape items by the community. In addition, the establishment of a low interest revolving fund or special improvement district will facilitate the implementation of the façade improvement efforts.

Acquire a Portion of Tom's Point

The Town of North Harmony could expand the Stow area if the NYS DEC would sell, or grant an easement, for a small portion of Tom's Point to the community. The Town has delineated the desired area as a 300- foot deep section along both the Old Bridge Road and Ferry Road. The Town will enter into discussions with the NYSDEC to assess if this proposal is feasible.

Develop a Road to Beach at Tom's Point

The Town of North Harmony will develop a road to the Tom's Point beach, if the State decides to install a launch and public dock on their property. Until State agencies assess the feasibility of these projects, the Town will not invest in engineering for this project.

Encourage Commercial Development along Stow Ferry Boulevard in Accordance with Stow Development Plan

Land use along Stow Ferry Boulevard consists of a mix of commercial and residential properties. The Town has identified this corridor as a gateway into both Stow and North Harmony. In order to capitalize upon this, and improve the area, the Town will allow additional commercial properties along the boulevard in accordance with the Stow Development Plan.

These improvements will provide the Stow area a small downtown retail area. This development, in conjunction with the I-86 interchange will present Stow with the opportunity for growth.

Improve Lighting at I-86 Interchange and Along Stow Ferry Blvd.

The lighting at the I-86 interchange and along Stow Ferry Boulevard is inadequate. Lack of adequate lighting at I-86 has created a safety hazard for residents and visitors. Although no casualties have been reported to date, numerous incidents of motorists entering I-86 from the wrong direction have occurred. The Town of North Harmony plans to address the lighting along their street during the upgrade of the streetscape. The Town will petition the State to improve the lighting at the I-86 interchange, along NYS Route 394.

Develop Infrastructure (Gas, Water and Sewer) Along the Lake Front

Development in the commercial areas surrounding Stow has been constrained, even though the area is located at the intersection of two State routes (I-86 and NYS Route 394), due to the lack of infrastructure. Sewer and water service extend past the Chautauqua Institution but stop short of North Harmony's western border. On the eastern side of North Harmony water and sewer only are provided to the Sunrise Cove development along NYS Route 394. The lack of a public water, sewer and gas along the shoreline has limited the development to this section of the lake. The development and extension of adequate infrastructure will allow Stow to become a viable location for moderate commercial development. The Town has entered into discussions with the Jamestown Board of Public Utilities to provide water to the area. Initial findings indicate that costs to users may be prohibitive and may require that the Town invest in a secondary well field or groundwater system.

Tie Butts Road Park into County Lake Overlook Property

Chautauqua County, in anticipation of the need to provide a vista of the lake, purchased a land locked parcel between Cheney Road and Bly Hill Road. The Town of North Harmony owns and maintains the Butts Road Park for its residents. Butts Road Park provides no vistas of the lake and the County property is not utilized at all. Two privately held, but land locked parcels, separate the County and Town property. The Town will seek to acquire or obtain easements across private parcels to connect the two parcels together. This link will provide a scenic vista from the south side of the lake and the ability to add hiking trails to Butts Road Park. If such trails can be established these will complement the current trail system in the area.

Improvements to Dobbins Woods Preserve

Louis Dobbins donated 100-acres of woodlands to the Chautauqua Watershed Conservancy. The property is located between NYS Route 394 and Butts Road. The Conservancy has developed a trailhead and a 2-mile loop trail that is used by the public for hiking and cross-country skiing. The conservancy's intent is to further develop the trail system and a parking area to accommodate increased usage of this unique parcel. The Town and Conservancy may explore working together to see if it would be feasible to link any trail systems developed as a linkage between the County Site and Butts Road Park.



Town of Chautauqua and Village of Mayville

Our vision of the future of the Mayville / Chautauqua waterfront is:

- To improve on the existing facilities;
- To improve, enhance and expand open space;

No major changes for park and open areas – Status quo.

Proposed Land & Water Use Recommendations

Land uses within the Village of Mayville and the Town of Chautauqua will remain consistent with existing development patterns.

The Village of Mayville currently has a zoning commission working on a full revision of the Village's zoning code. Preliminary drafts indicate build upon the existing development patterns occurring in the community.

Proposed uses included in the LWRP will maintain and strengthen the Village's core downtown business center, and both communities' recreational uses along the waterfront and related lands.

Proposed Waterfront Development Projects

Develop Three Access Points at Street Endings within Town Of Chautauqua as Low Impact Access Points

Develop three low impact access points to Chautauqua Lake - Knight, Elmwood and Meadows Roads- at the ends of roads where they meet the water's edge.



The Town has historically had these three access points used as casual boat launch areas and emergency vehicle access points.

Car traffic and boat trailer parking near the sites have caused problems with surrounding property owners. Because of the proximity of the sites to homes, fences and gardens, the Town would like the access points to be redeveloped as low impact sites.

Low impact access points are useable for canoe and kayak launching only and as a place for walkers and bikers to stop, rest and view the lake. This type of development would enhance the walking / biking trails that surround the lake.

Improve NYS DEC Prendergast Point Launch Facility

The dockage at the NYS DEC boat launch is inadequate to address peak demand for launching. The Town of Chautauqua encourages the DEC to consider improving the dockage and boat launch at the Prendergast site. In addition, the Town encourages the DEC to undertake a dredging project in front of the launch to remove debris and allow larger boats to safely be launched. Since the Town has very few boat launching access points, the Town of Chautauqua would like this site to be enhanced to accommodate more boats and to become a destination point where boaters can picnic, have access to comfort facilities, and allow people (including the disabled) to fish comfortably from the shoreline. Since this is DEC property it would be a DEC project.

Complete Seawall along Lakeside Park

Completion of a seawall along Mayville Lakeside Park is ongoing. The project will not only create a barrier against shoreline erosion, but to clean up the shore edge. This will enhance the overall ambience of the park as well as protect the various amenities and structures in the park from flooding.



Maintain and Replace Seawall along Chautauqua Institution

The seawalls along the north end of the Chautauqua Institution and at the Boy's and Girl's Club on the Chautauqua Institution's grounds are in need of replacement. The Institution and the Town should explore the possibility of partnering on a project of this magnitude. The Institution could provide part of the costs through an internal fund drive effort. No formal engineering proposals are available at this time. This project is listed in the anticipation of both groups' future efforts.

Establish Lighthouse Pier in Accordance with Mayville Park Plan

Establish Mayville Lighthouse Pier in accordance with the Mayville Master Plan, which includes a plan for the lakeside park. The Lighthouse Pier, would be built at the foot of Erie Street replacing the pier that is just southwest of the Historical Museum. The entrance to the new pier would be to the northeast of the Museum, and accessed by car from Erie Street and by a walking path along the water's edge. The pier would have 110 slips, both permanent season and transient docking, docking/storage for the Chautauqua Belle, and would provide a new home for the Lighthouse.

Tributary Management Study and Implementation

The Town and the Village have several streams that flow into the lake and affect the water quality of the lake. The problem of pollution and sedimentation stemming from actions up stream need to be addressed and strategies for eliminating or mitigating them have to be created.

The Town and Village need to undertake a Tributary Management Study that results in the identification of specific issues, mitigation strategies and a plan that addresses the long-term management of the streams and their watershed.

Lake Bottom Gravel Deposits Removed at Tributary Outlets

Remove existing sediment and gravel bars from the mouth of tributaries feeding Chautauqua Lake as identified in the Tributary Management Study. This process will require dredging permits through DEC. Dredging will give boaters the ability to use waters closer to shore and will help stop backup of the tributaries and flooding upland. Implementation of Tributary Management Study will minimize future need for projects of this type.

Proposed Waterfront Related Projects

Improve Trail System Amenities between Park and Rail Station

Improve:

- Benches
- Trail Surface – Brick and Asphalt
- Landscaping
- Directional Signage
- Solar Lighting in Some Areas

The pedestrian trail system is an integral part of the Lakeside Park Master Plan. The new brick and asphalt walk acts as the thread that provides a pedestrian link to the Sculpture Park, performance shell, rail museum, performing art center and the public docks. The plan calls for approximately 2600-feet of new walkway to accomplish this component. In order to enhance the lakefront recreational opportunities, the park trail system will need the pedestrian amenities listed above. This project can be undertaken in a several phases that coincide with the implementation of the construction phases of the Lakeside Park and surrounding area.

Connect Village Trail to Rail to Trails Nature Area

The Village of Mayville owns portions of the old rail bed that tie the park to the trail system maintained by the not-for-profit organization, Rails to Trails. Most of the Village's rail bed has not been improved or developed. The Village, as part of the "Master Plan" will provide directional signage to the Rails to Trails nature area and will upgrade the trail bed and landscape the area along the trails leading to the nature trail. These efforts will provide a year-round component that will attract hikers, cross country skiers and snowmobilers alike. Portions of this project are currently being completed as part of a grant obtained through the Chautauqua Rails to Trails organization.



Upgrade Stormwater Systems to Minimize Nonpoint Pollutants

Current systems are outdated and in need of upgrade, repairs and in some areas replacement despite some recent upgrades. The storm water system of the Village, Town and other residential clusters either directly enter the lake, or a tributary that feeds the lake, compromising the water quality with nonpoint water pollution. The many types of pollutants the stormwater may carry include:

- Sediments, which cause turbidity
- Nutrients, such as phosphorus and nitrogen, which cause eutrophication
- Bacteria, which cause public health hazards
- Dissolved oxygen depletion, which causes loss of aquatic life
- Oil and grease, which are toxic to aquatic life
- Trace metals, which are toxic to aquatic life and can contaminate drinking water
- Toxic chemicals, which present a public health hazard
- Chlorides or salts, which are toxic to many freshwater aquatic organisms at high levels; and
- Thermal impacts, which can harm species adapted to cold water

To address these issues, the communities can take several different courses of action

- Depending on the severity of the problems with existing stormwater system capacities, a regional stormwater management project may be warranted to correct current problems.
- As part of the Capital Improvement Program, the Village or Town should create a stormwater sewer maintenance program and begin the program in the next one or two years.

Improve Amenities at Mayville's Lakeside Park

- Benches and Picnic Tables
- Playground
- Street Lighting
- Tennis Courts
- Off-Site Parking for Events
- Signage
- Parkscape
- Upgrade Bathhouse – Make Facilities Year Round
- Improve Drainage of Sports Fields
- Upgrade Parking Areas

These amenities all need to be enhanced, improved or replaced. Using the [Mayville Lakeside Park Master Plan](#) as guidance: Equipment to enhance the picnic area and the playground will be purchased. A road within the park will be developed to use as a midway for seasonal carnivals, for gazebo access, and beach access. Off-site parking for events will be developed, and parking areas within the park itself will be increased and lighted. Street and walkway lighting will be increased to match the streetlights on the main streets of the Village. The four existing courts will be refurbished and two new courts will be added. The sports fields will be reconditioned and special attention will be given to improving the drainage of those fields. A performance shell and earthen berm seating will be built to accommodate outdoor performances. The bathhouse will be reconstructed to accommodate year-round use. It will not only be used by swimmers and picnickers but by snowmobilers and cross-country skiers. This will include comfort facilities, showers, a first aid clinic, lifeguard offices, a snack bar and storage.

Place Utilities Underground Where Feasible

The Village would like to place utilities, including electric, telephone and cable, underground. Utility wires and transformers have been traditionally hung on poles, which interfere with viewsheds and detract from the landscape of the park. This project will improve the appearance of a key parcel in the Village's revitalization efforts.

Street Light Planning and Installation in Chautauqua Institution

The Chautauqua Institution is the largest residential complex in the Town of Chautauqua. The community, which is predominately privately held, will work with the Town to develop a street lighting plan and the installation of devices within the community. The Chautauqua Utility District will assist with the study. Light pollution, siting, equipment alternatives and neighborhood character will be predominate features of the lighting plan. This public / private partnership will benefit the community by improving the streetscape in a coordinated manner. The Town will benefit by assisting the most significant area of its tourism economy.

Work with Private Developers to Provide Complementary Commercial Development

The Webb Family, local restaurant and hospitality owners, own parcels on either side of NYS Route 394 in the Lakeside Park area. The Webb's have conceptually proposed building a hotel complex and condominium complex along the road. The complexes would provide additional accommodations to complement the family's current lodging facilities.

This project is listed by the community because of its location and its inclusion in the master plan for the area. The community and the developer will have to work together to ensure that both public and private components integrate and complement each other.

Develop Garden Walk and Sculpture Park

The land along the current launch area is underutilized and serves as an unused green space between the depot and park. The creation of a sculpture park / English garden on this irregular parcel would tie into the existing plan to have components that play off of the community's proximity to the Chautauqua Institution. The sculpture park / English garden will serve as another attraction that makes the park area, and community, a point of destination for tourists and enhances the lake experience along the shoreline.

The park will also complement the private hotel development that is proposed on some upland parcels adjacent to NYS Route 394 by the Webb Family. The Village has not explored the cost of this component of the "Master Plan."

Build Performing Arts Center / Retail Center on Village Land Across from Lakeside Park

The Village of Mayville is located approximately 4 miles from the world renowned Chautauqua Institution. The Institution draws visitors to enjoy the relaxing ambiance of the lakeside cultural community. The creation of a cultural performance center / retail center would play off the existing draw established by the Institution and provide a previewing venue for scheduled artist and students. Local audiences would benefit through low cost access to the arts and the Institution could benefit by stimulating local interest in its programs.

As a complementary use the facility would also provide retail space to local artisans and producers to market products to tourist and visitors. The local community and surrounding businesses would benefit from the increase in tourist traffic created by both of the proposed uses for this area.

Upgrade Streetscape in Village of Mayville in Accordance with the Downtown Redevelopment Component of the Master Plan

The Village of Mayville's Lakeside and Downtown Redevelopment Master Plan calls for modifications to the business center located adjacent to the intersection of NYS Routes 394 and 430. See [Mayville Business Corridor Plan](#). The Village has invested in period lighting for a portion of this district already and placed some utilities underground. During the reconstruction of NYS Route 394 the Village gained additional components to their "Master Plan" such as decorative stamped concrete crosswalks, new sidewalks, improved parking and trees.



In order to complete the Downtown Redevelopment Master Plan Mayville Business Corridor Plan, the Village will need to invest in pedestrian amenities such as adequate trash receptacles, planters, and additional period lighting.

A façade upgrade program should be designed and implemented in order to complement the upgrades to the business center made by the community. Such a program could take the form of a revolving loan fund and the creation of design guidelines.

Implement Balance of Proposed Recreational Waterfront Plan in Accordance with the Village of Mayville Master Plan

- Upgrade Mayville Rail Depot
- Develop Parking Area by Rail Depot

The Mayville Rail Depot, which acts as an anchor to the shoreline area along Mayville's lakeside commercial area, represents the rich historical past of the Village. The building currently houses the Town of Chautauqua's Historical Society Museum and the offices of the Chautauqua Rails to Trails organization. The Mayville Rail Depot is a historically significant building in the community. Maintaining the integrity of the historical character of this building while integrating new uses into the structure will be the key to the success of this area. The Village of Mayville is currently seeking grant funding to assist with upgrades to the Mayville Rail Depot Building.

In order to accommodate the proposed new uses for the Lakeside Park area and Rail Depot area, the parking space by the depot will need to be upgraded. Currently the parking area is a dirt lot without clearly marked entrances or exits. The proposed upgrade would provide 50- spaces with a landscaped strip between the lot and the street to soften the streetscape impact.

The location of the new lot will provide lake vistas from the parking lot, access to both the park trails and nature trail, and the attractions in the area. This will increase access to the lake and park by both

residents and visitors and boost the economic viability of the cluster of businesses in the area. This project may be completed in its entirety during the current reconstruction of NYS Route 394.



Develop Infrastructure (Water and Sewer) Along the Lake Front

Sewer and water service extend around the northern end of the lake and terminate at Hartfield. The area between Hartfield and Midway Park, in the Towns of Chautauqua and Ellery, lack water and sewer service for the residential clusters at Dewittville, Point Chautauqua and several condominium complexes along NYS 430. The feasibility of providing infrastructure to this segment of the lake should be examined. The development of the infrastructure should be pursued in feasible. The area in question constitutes one of the two remaining segments of lakeshore that lacks public sewers on Chautauqua Lake.

Town of Ellery and Village of Bemus Point

- Our vision of the future of the Bemus / Ellery waterfront is: - To preserve the beauty and water quality of the lake;
- To maintain the rural character of the community, and the aesthetics of the commercial area by keeping them distinct and equally vibrant;
- To keep a promise to future generations that they will enjoy a safe, beautiful, healthy community; clear views, and access to the lake;
- To maintain a high quality of life that preserves family values;

This could be accomplished by working collaboratively, because the lake is our biggest asset.

Proposed Land & Water Use Recommendations

The proposed land and water uses for the Town of Ellery and the Village of Bemus Point are generally consistent with the existing uses and development patterns in both communities. The medium density Townhouse / apartment zone between the Italian Fisherman and the Village Park in Bemus Point may conflict with the proposed uses. The boundary of the district is the lakeshore and may disturb what is considered one of the most beautiful locations on the lake to view sunsets. This segment of the Bemus Point zoning code may need to be examined. The proposed land and water uses do not conflict with any existing uses.

Both Ellery and Bemus Point are primarily residential communities. Projects such as the establishment of the walking / biking trail along Lakeside drive will need to protect the residential character of the area when developed. All proposed land use and water use projects enhance both the waterfront and the communities.

Proposed Waterfront Development Projects

Dredge Sediment Areas at Creek Deltas, Creek Outlets and Canal Outlets

Erosion and sediments from upstream roads and have created deltas at creek outlets that impede watercraft usage. Bemus Creek, the location of one of the most significant deltas, has not been dredged since 1981. Ellery and Bemus Point will undertake projects to remove deltas that are determined to be restrictive in order to improve watercraft access and minimize flooding to surrounding property.

In conjunction with the dredging efforts, the communities plan to undertake sediment control projects where practical to minimize the need for future dredging. These combined projects will enhance the use of the lake by both residents and visitors. Tourism is the primary industry in both of the communities.

Proposed Waterfront Related Projects

Develop Walking / Bike Trail between Downtown Bemus Point and Long Point State Park

Bemus Point is a popular destination for residents of the area and visitors. The Village has a reputation as being a destination for restaurants, shopping, relaxing walks and viewing beautiful sunsets. Long Point State Park provides waterfront access and upland trails.

The creation of a walking / bike path would provide a direct link between the downtown of Bemus Point and Long Point State Park. One alternative to accomplish this project would be to provide a path along Lakeside Drive, which terminates at the border of Long Point State Park and travels along picturesque Bemus Bay. Lakeside Drive is a narrow road with no sidewalks. The road is used by many residents and visitors to walk along and view the vistas across Bemus Bay. The provision of a path would enhance this area by improving safety for residents and encouraging a formal link between the two complementary attractions.

However, the Lakeside Drive route travels through one of Bemus Point's prime residential neighborhoods. Therefore, although the prime location to create a connection point, the route may not be feasible if significant impacts to the character of the neighborhood would occur. Alternative routes

along the abandoned trolley line, the old state route or NYS Route 430 should be examined if an evaluation of this project reveals such negative impacts.

Develop Streetscape Community Plan for Commercial Areas in Bemus Point

- Improve Signage
- Bury Overhead Utilities
- Walkways
- Benches
- Planters

The Village recognizes the need to upgrade the business district's streetscape. The Village should develop design guidelines and standards that encourage the retention of the historic waterfront character of the Village's downtown. The guidelines and standards developed can outline streetscape and façade guidelines that will supplement the Village's zoning ordinance. Amenities such as benches, trash receptacles, trees and informational and directional signage would improve upon the business district.



Create Façade Improvement Program to Assist with Implementation of Streetscape Plan

A program to improve streetscape components and coordinate and improve facades will be established. The Village and the Town should collaborate on the creation of the program to ensure consistency in the adjacent Oriental Park area. The program components will be based upon the guidelines and standards created as a part of the Business District Plan. This program will require funding to assist with engineering, construction and installation of streetscape items by the community. In addition, the establishment of a low interest revolving fund or special improvement district will facilitate the implementation of the façade improvement efforts.

Develop New York State DEC Property (Cheney Farm):

- Trails
- Public Access
- Keep as Natural as Possible
- Maintain Scenic Vista
- Potential Acquisition of Remainder of Farm

A portion of the Cheney Farm has been purchased by the New York State DEC. The parcel contains the largest undeveloped portion shoreline on Chautauqua Lake. The communities of Ellery and Bemus Point would like to work with the NYS DEC to help develop a plan for the development of the property that incorporates the items listed above. This partnership between the State and local governments would assure that both entities goals and objectives are met.

Maintain Ferry Service and Ferry Area

The Bemus Point /Stow Ferry is an important tourist attraction for both communities. The Ferry represents a historic link between the two areas.



The terminus for Bemus Point is located adjacent to the Casino. Maintaining the Ferry service, which is currently under contract with a local organization, is important to both Bemus Point's and North Harmony's tourism trade. Both communities should collaborate to ensure this vital service continues through either the current private arrangement or some other arrangement in the future. In addition, Bemus Point seeks to upgrade and improve the ferry launch area to improve the appearance and stability of the area. Improvements would consist of repairing the breakwall, modifying the lighting scheme to blend with the modified streetscape along Lakeside Drive, adding railings, planters and additional benches and improving signage.

Complete Town of Ellery Park

The Town of Ellery has invested in creating a Town park with sports fields and playground equipment. The project has not been completed due to fiscal constraints. The completion of this facility would provide Town residents with local sports fields to utilize for recreation. The Town has a master plan completed for the park facility. See [Ellery Town Park Master Plan](#).

Acquire Lakefront between Italian Fisherman and Village Beach

The lake views along Lakeside Drive between the Italian Fisherman and the Village Park have always been a draw for residents of the region and tourists. This vista has acted as an economic stimulus for the small Village of Bemus Point. The property between the Village Beach and the Italian Fisherman property is privately owned. To ensure that the vista is protected it would be beneficial for the Village to acquire that property as it becomes available.

Expand Parking Capacity

The Village of Bemus Point is a small community with an active tourist trade. During events, and at peak points during the summer season, parking is at a premium. The Village should conduct a parking assessment to evaluate where additional parking may be created. The assessment should take into consideration the impacts of visitor parking in residential neighborhoods and attempt to mitigate those impacts. Once the assessment is made and a plan is developed, it is critical to the future and success of the downtown that the Village constructs additional parking facilities.

Major LWRP Projects

Municipality	Project	Project Title
Celoron	1	Repair Existing Breakwall
	2	Downtown Development Plan
	3	Lucille Ball Park Improvements
	4	Development of Old Celoron Amusement Site
	5	Gateway Enhancements Along Dunham Avenue
Ellicott	6	Burtis Bay Park Projects (4 Projects)
	7	Trail System through Bonita Wetlands
	8	Upgrade Stormwater Systems
Lakewood	9	Conserve and Improve Stream Corridors
	10	Hartley Park Projects (6 Projects)
	11	Community Park Projects (2 Projects)
	12	Improve Streetscape Along Chautauqua Avenue
	13	Upgrade Stormwater Systems
Busti	14	Acquire Lakefront Property-Vukote
	15	Keep Canal Zone Open at Vukote
	16	Complete Park Plan for Vukote Park
	17	Develop Trail Systems (2 Projects)

Municipality	Project	Project Title
N. Harmony	18	Commercial Rec. Dev. Along Goose Creek
	19	Improve Ferry Launch Area
	20	Create Stow Development Plan
	21	Improvements to Dobbin Woods Preserve
Chau. / Mayville	22	Complete Seawall Along Lakeside Park
	23	Replace Seawall along Chautauqua Inst.
	24	Tributary Management Study and Impl.
	25	Improve Trail System Amenities
	26	Upgrade Stormwater Systems
	27	Improve Amenities at Mayville's Lakeside Park
	28	Build Performing Arts Center/Retail Center
	29	Implement Recreational Waterfront Plan
	30	Develop Infrastructure Along Lakefront
Ellery / Bemus Pt.	31	Dredge Sediment Areas at Creek Deltas
	32	Develop Streetscape Community Plan
	33	Maintain Ferry Service
	34	Complete Ellery Park
	35	Expand Parking Capacity

Section V. Techniques for Local Implementation of the Program

Local Laws Necessary to Implement the LWRP

LWRP Consistency Law

The LWRP Consistency Law requires that actions, which are directly undertaken, funded, or permitted by the municipality be consistent with the provisions of the LWRP, and will serve to implement all of the waterfront policies. Each participating Chautauqua Lake community, to ensure implementation of the LWRP, has adopted this law. Additionally, a Waterfront Consistency Assessment Form has been adopted as part of the consistency law. The form is used by the enforcement organizations to facilitate the consistency review.

Laws Recommended for Adoption/Change to Maximize Consistency

Zoning Law

The four Villages and five Towns participating in the LWRP all have zoning ordinances. For each of the communities, the Zoning Code regulates land use under traditional zoning provisions. These traditional zoning provisions categorize land use by type (e.g. residential, commercial, industrial) into districts and allow for permitted uses and conditional uses. Conditional uses are permitted in zoning districts subject to specific circumstances. Generally, each zoning ordinance can be characterized as cumulative, meaning that uses permitted in one district are permitted in subsequent districts. Other traditional provisions include flood plain controls and lakeshore regulations.

Celoron

The Village of Celoron Zoning Ordinance was first established in 1950. The current Village of Celoron Zoning Ordinance has been in effect since 1984. The Zoning Code establishes seven broad zoning districts including industrial, commercial, shoreline commercial, cultural recreation, multi-residential, industrial, residential, and floodplain. The WRA is affected by all of the zoning classifications listed. In addition, a supplemental section on lakeshore regulations governs parcels directly adjacent to the shoreline of Chautauqua Lake. Celoron's zoning ordinance establishes a Board of Appeals and a Planning Board. However, the Village Board administers actual enforcement of the zoning code.

Much of the Village's waterfront is currently zoned shoreline commercial and multi-residential. The exceptions are the Lucille Ball Memorial Park lands, which are zoned cultural-recreation, and a two block residential segment between Duquesne and Livingston Streets. The current proposed downtown development plan efforts would seek to renew the vibrant downtown that once existed in Celoron. The results of these efforts may result in the need to expand the current commercial district to the south to portions of Duquesne Street and to the West into the existing multi-residential district. It is

recommended that the multi-residential district along the waterfront be converted to a mixed-use district. This will allow the land to maintain some commercial economic value and create an acceptable buffer to residential areas that encourages uses that meet the community's goals expressed in the LWRP. Dunham Avenue is residential between Linwood and Duquesne Streets and commercial between Duquesne and Boulevard Streets. Dunham Avenue is a gateway into the Village from NYS Route 394. Proposed uses in these districts are consistent with the existing uses along Dunham Street. The remaining proposed projects and land uses are in districts that are consistent with the LWRP goals and objectives.

The Village of Celoron should consider updating its zoning ordinance to more accurately reflect the concerns of land use and development within the WRA. To accomplish this, Celoron may consider evaluating existing uses in the shoreline commercial, commercial and multi-residential districts, and the creation of a mixed-use district as part of an overall update. A second option for the Village would be the incorporation of an overlay district into the local ordinance. The boundaries of the proposed overlay district can be as broad as the defined WRA or more narrowly defined along the waterfront. The purpose of the overlay district or update of existing districts should be to encourage development along the waterfront and within defined boundaries, while promoting public access to the waterfront for the benefit of Village residents and its visitors.

Ellicott

The Town of Ellicott Zoning Ordinance was first established in 1947. The current Zoning Ordinance has been in effect since 1976. The Zoning Code establishes eight zoning districts including residential, agricultural residential, professional office, neighborhood business, shopping center, mercantile, industrial and industrial park, and airport. The two districts that fall within the WRA boundary include residential and mercantile. The area within the WRA boundary is also governed by a floodplain overlay district and supplemental Chautauqua Lake Shore regulations. The Town's Zoning Board of Appeals administers Ellicott's zoning law. The Town also includes separate site plan review and subdivision processes, which the Town's Planning Board administers.

The southern portion of the Town of Ellicott, located within the WRA, is zoned residential. All proposed uses within this district will promote the objectives of the LWRP and are consistent with existing uses. The segment of the Town of Ellicott located along the northern shoreline of Chautauqua Lake is divided between a residential district and a mercantile district. Proposed uses within the residential district are acceptable as previously stated. The mercantile district encompasses NYS Route 430, a large wetlands tract, and a portion of the shoreline of Chautauqua Lake. Most uses allowed by the current zoning within the district will be limited to the area adjacent to NYS Route 430 due to the constraints caused by the existence of wetlands. Consequently, it is recommended that the Ellicott consider adjusting the boundary of the mercantile district to reflect the realistic development potential along NYS Route 430 in this area. In addition, the remaining wetland area, between the lakeshore and the newly defined mercantile district, should be rezoned as a conservation district to provide for the proposed natural recreational uses, while discouraging uses that do not meet the goals and objectives of the LWRP.

Lakewood

The Village of Lakewood's Zoning Ordinance was first established in 1951. The current Zoning Ordinance has been in effect since 1987. The Zoning Code establishes seven zoning districts including single-family residential, multiple-family residential, mobile residential, retail business, highway business, light industrial and floodplain. The districts that fall within the WRA include single-family residential, multiple-family residential, highway business and retail business. Lakewood's zoning ordinance establishes a Board of Appeals and a Planning Board. However, the Village Board administers actual enforcement of the zoning code including site plan review.

The Village's Chautauqua Avenue redevelopment area is located in the retail business area along Chautauqua Avenue between the railway and Terrace Street. Generally, uses permitted in the retail business district are amenable to the goals and objectives of the LWRP. However, the retail business district includes uses that do not meet the objectives of the LWRP, such as windmills, commercial greenhouses and used car lots. It is recommended that the uses allowable within the retail business district be modified and defined. It is further recommended that design standards be established and implemented to insure future development efforts complement both Chautauqua Avenue and the proposed streetscape components. Both of the rezoning efforts suggested may be accomplished through the establishment of a Chautauqua Avenue District as proposed by the Local Development Corporation. The remaining proposed projects and land uses are in districts that are consistent with the LWRP goals and objectives.

Although Lakewood's existing Zoning Ordinance will serve to implement the policies and purposes of the LWRP, the Village should consider updating its zoning ordinance to more accurately reflect the concerns of land use and development within the WRA. To accomplish this, Lakewood may consider incorporating an overlay district into the local ordinance. The boundaries of the proposed overlay district can be as broad as the defined WRA or more narrowly defined along the waterfront. The purpose of the overlay district, or update of existing districts, should be to encourage development along the waterfront and within defined boundaries, while promoting public access to the waterfront for the benefit of Village residents and its visitors.

Busti

The Town of Busti Zoning Ordinance was first established in 1962. The current Zoning Ordinance has been in effect since 1980. The Zoning Code establishes ten zoning districts including gateway, highway, and lakeshore commercial, industrial, light manufacturing-research and development, single-family and multi-family residential, conservation residential, conservation agricultural and conservation agricultural mobile home park. The districts that fall within the WRA boundary include multi-residential, lakeshore commercial, gateway commercial and conservation residential. The area within the WRA boundary is also governed by flood plain regulations. The Town's Zoning Board of Appeals administers Busti's zoning law. The Town Board is responsible for considering special use permits for service stations and mobile home parks. The Town's Planning Board is responsible for site plan review when required.

Projects proposed in the LWRP in the Town of Busti consist of preservation and enhancement of natural areas, creation of trails, expansion of public access, and improvement of the municipal park at Vukote. All of the proposed projects and land uses are in districts that are consistent with the LWRP goals and objectives. Busti's existing zoning ordinance will serve to implement the policies and purposes of the LWRP.

North Harmony

The Town of North Harmony Zoning Ordinance was first established in 1967. The current Zoning Ordinance has been in effect since 1989. The Zoning Code establishes seven zoning categories including single-family residential (R-1), duplex multiple-family (R-2), multiple family (R-3), multiple-seasonal residential (R-4), hotel multiple-family (R-5), agricultural residential (AR), and commercial (C-1). All seven districts are within the WRA and divide it into 32 separate zones. A majority of the WRA area is dedicated to residential zones R-1 through R-3 with 21 of the 32 zones falling into these categories. The area within the WRA boundary is also governed by supplemental lakeshore regulations. The Town's Planning Board administers North Harmony's zoning code for commercial projects involving 5,000 or less square feet of floor space, and residential projects involving 5 or less residential units. The Town Board is responsible for considering special use permits and site plans for all projects that exceed the Planning Board's limits. The Town of North Harmony has also created a Zoning Board of Appeals to review variances, interpret the zoning code and consider special use permits when variances and special use permits part of the same application process.

The only hotel multiple-family (R-5) zone is located in the Stow area adjacent to a commercial zone. This use is compatible with the development goals of the I-86 interchange at Stow, but may be inconsistent with the LWRP objectives. Tom's Point, a NYS DEC wetland preserve, is located within this district's boundaries. It is recommended to create a new set of boundaries that capture appropriate parcels and place the balance of the land into a new district whose uses are consistent with the proposed uses for the area.

Commercial zones (C-1) have been established at locations that have existing retail activity. There are five commercial zones in the WRA. The first zone is in the Ashville business district; the second zone is bordered by NYS Route 394 (the Township's western border) Chautauqua Lake and encompasses Goose Creek; the third zone is at the Stow interchange along NYS Route 394; the fourth zone surrounds the Niagara Mohawk facility; the final zone is located in Magnolia along NYS Route 394. Uses allowed by right or by a special use permit cover a wide variety of retail, professional and service businesses as well as general limited industry. Due to the varied geographic area and settings that these commercial districts are located in, it may be appropriate to customize the uses allowed in each district so the land uses allowed more closely fit the goals and objectives of the community for a particular area. The proposed Stow Development Plan should shape the land uses allowed within the Stow commercial district. The remaining proposed projects and land uses are in districts that are consistent with the LWRP goals and objectives.

Although North Harmony's existing zoning ordinance will serve to implement the policies and purposes of the LWRP, the Town should consider updating its zoning ordinance to more accurately reflect the concerns of land use and development within the LWRP. To accomplish this North Harmony will need to specifically address the commercial district uses at a minimum.

Chautauqua

The Town of Chautauqua Zoning Ordinance has been in effect since 1977. The Zoning Code establishes eight zoning districts including residential, residential-agricultural, residential - lakeside, planned unit development, residential-recreation, business, Chautauqua Institution and industrial. The six districts that fall within the WRA boundary include residential, residential- lakeside, residential-recreation, residential-agricultural, business and Chautauqua Institution. In addition, a supplemental lakeshore regulation section regulates parcels contiguous to the Chautauqua Lake lakeshore. The Town Board administers Chautauqua's zoning. The Town Board is responsible for considering special use permits and site plans for all projects and considers recommendations from the Town's ZBA. The Town of Chautauqua has created a Zoning Board of Appeals to review variances, interpret the zoning code and provide recommendations on special use permits and site plans. Projects proposed in the LWRP in the Town of Chautauqua consist of minor public access improvements, stormwater improvements, and stream erosion and sedimentation improvements. All of the proposed projects and land uses are in districts that are consistent with the LWRP goals and objectives.

Although Chautauqua's existing zoning ordinance will serve to implement the policies and purposes of the LWRP, the Town should consider updating its zoning ordinance to more accurately reflect the concerns of land use and development within the WRA.

Mayville

The Village of Mayville's Zoning Ordinance was first established in 1963. The current Zoning Ordinance has been in effect since 1996. The Zoning Code establishes six zoning districts including R-12, R-9, and R-9A residence districts, business (C-1), general commercial (C-2) and manufacturing. The districts that fall within the WRA include R-9, R-9A, C-1 and C-2. Mayville's zoning ordinance establishes a Board of Appeals and a Planning Board. However, the Village Board administers actual enforcement of the zoning code including site plan review.

The Village of Mayville is currently undergoing a revision of its zoning ordinance. These revisions may affect some of the districts as described above. Mayville's existing zoning ordinance serves to implement the majority of the policies and purposes of the LWRP. During the Village's update of its zoning ordinance, efforts should be made to ensure the document accurately reflects the concerns of land use and development within the LWRP. Uses allowed in districts within the WRA should be consistent with the community's goals and objectives as stated in the LWRP.

Ellery

The Town of Ellery Zoning Ordinance was established prior to 1979. The current Zoning Ordinance has been in effect since 1992. The Zoning Code establishes eleven zoning categories including single-family residential (R1), single-family residential (R1-WB), residential (R2), multiple-family residential (R3), retail business (B1), highway business (B2), lakeside business (B3), business (B4), agricultural-residential (AR), agricultural (A) and industrial (I). Eight zoning categories are within the WRA including single-family residential (R1), single-family residential (R1-WB), residential (R2), multiple-family residential (R3), retail business (B1), highway business (B2), lakeside business (B3) and agricultural-residential (AR). In addition, a supplemental lakeshore regulation section regulates parcels contiguous to the Chautauqua Lake lakeshore. The Town's Planning Board administers Ellery's zoning code for commercial projects involving 5,000 or less square feet of floor space and residential projects involving 5 or less residential units. The Town Board is responsible for considering special use permits and site plans for all projects that exceed the Planning Board's limits. The Town of Ellery has also created a Zoning Board of Appeals to review variances, interpret the zoning code and consider special use permits when variances and special use permits part of the same application process.

Although Ellery's existing Zoning Ordinance will serve to implement the policies and purposes of the LWRP, the Town should consider updating its zoning ordinance to more accurately reflect the concerns of land use and development within the WRA. To accomplish this, Ellery may consider incorporating an overlay district into the local ordinance. The boundaries of the proposed overlay district can be as broad as the defined WRA or more narrowly defined along the waterfront. The purpose of the overlay district or update of existing districts should be to encourage development along the waterfront and within defined boundaries, while promoting public access to the waterfront for the benefit of Town residents and its visitors.

Bemus Point

The Village of Bemus Point Zoning Ordinance was first established in 1961. The current Village of Bemus Point Zoning Ordinance has been in effect since 1985. The Zoning Code establishes five broad zoning districts including low density single family (R-1), medium density single family / duplex (R-2), medium density Town house / apartments (R-3), retail business (B-1) and parks / recreation / conservation (P). The WRA is affected by all of the zoning classifications listed. In addition, a supplemental section on lakeshore regulations governs parcels directly adjacent to the shoreline of Chautauqua Lake. Bemus Point's Zoning Ordinance establishes a Board of Appeals and a Planning Board. However, the Village Board administers actual enforcement of the zoning code.

Although Bemus Point's existing Zoning Ordinance will serve to implement the policies and purposes of the LWRP, the Village should consider updating its zoning ordinance to more accurately reflect the concerns of land use and development within the retail business district within the WRA. To accomplish this, Bemus Point should evaluate uses currently allowed and current development trends as they relate to the stated objectives of the community within the LWRP. The purpose of the update of existing

districts should be to encourage development along the waterfront and within defined boundaries, while promoting public access to the waterfront for the benefit of Village residents and its visitors.

Other Public and Private Actions Necessary to Implement the LWRP

In addition to administering the above-cited local laws, each municipality and other governmental entities, including the private sector, will need to undertake various actions to implement the requirements of the LWRP. The following describes some of these key actions to be taken:

Municipal

Waterfront Development

Some of the proposed projects are located on or adjacent to lands owned and controlled by the New York State Department of Environmental Conservation (NYS DEC). Consequently, each municipality should maintain a relationship with the NYS DEC to promote the community's goals and understand the necessary permits for project development.

Erosion Control and Steep Slope Development

Projects listed within the LWRP are primarily located on parcels that have minimum slope issues. However, some segments of the lake (see Section II, Page 58) have sections of shoreline with slopes in the 8-15% range or greater. Chautauqua Lake communities considering the adoption of Erosion Control Ordinances should incorporate additional language addressing slopes in this range, or greater, to reduce the potential limited projects may have in contributing to further erosion.

New York State

As noted above, some of the proposed LWRP projects, such as Stow's development plans or Prendergast Point's Improvements, are proposed on or adjacent to state owned lands. Consequently, in an effort to promote local revitalization of the Chautauqua Lake communities, the State should work in coordination with the Chautauqua Lake communities and private sector developers to promote the development of these projects. Proposed State actions will be undertaken in accordance with guidelines established by the NYS Department of State and included in Appendix B.

Private Actions

While the local municipalities can generally fund projects such as parks and trails and stimulate further development, as in the Old Celoron Amusement Park site, private sector commitments will ultimately be necessary to re-use vacant sites. Additionally, the Chautauqua Lake communities are investing significant funds into planning for future development and redeveloping the public realm with projects such as improved pedestrian amenities and street trees. Accordingly, the private sector needs to increase its involvement by investing in activities such as improved facades.

Management Structure Necessary to Implement the LWRP

Administration of the LWRP should be integrated into the decision-making process for proposed projects and land use issues in each municipality. The board with the power to grant the discretionary approval of actions within each municipality should be given the duty of administering the LWRP. Responsibilities will include the review of the proposed actions, within the defined waterfront revitalization boundary, to assure their consistency with the LWRP. This local level of management is the base from which the LWRP can begin to be implemented.

Optional Lake Management Structures

The LWRP provides a comprehensive framework within which critical lake issues can be addressed. Lake communities have established community goals for their waterfront and identified issues that need to be addressed locally and on a broader lake scale. The LWRP establishes a partnership between the state and local municipalities to promote and achieve each community's goals and seek solutions to lake-wide issues facing Chautauqua Lake.

In order to adequately address the larger issues facing the lake, such as erosion control and aquatic vegetation management, the communities and other entities involved with the lake may need to agree upon the formation of an organization to assist with the oversight and management of the lake. Ultimately, the citizens of the lake communities will help determine the type of organization and the level of management ability it may utilize. Further study and development of potential management options will allow citizens to make an informed decision and reach consensus. Lake management options available to the communities vary as indicated in "The Management of Chautauqua Lake and Its Watershed." The following is a list of potential options that may be further explored:

Proposal 1: Lake Advisory Board - A lake advisory board, i.e., Chautauqua Lake Management Commission, has been created to make recommendations and provide guidance to local municipalities on lake issues and the LWRP. As a board of the county government, it does not have formal, direct authority to enforce, approve, or fund activities, and does not have taxing jurisdiction.

In addition to the duties described above, the watershed advisory board could also conduct formal or informal reviews of development projects proposed for location within the WRA, to better ascertain the consistency of such development with the LWRP.

This approach gives local municipalities flexibility in determining the membership and function of the advisory board. The board would provide needed guidance and advisement on broader lake issues and could address more of the issues identified in the LWRP than a County watershed protection district (see Proposal 4). A board comprised of members who live or operate businesses in the area surrounding the lake would have far greater contact with the conditions affecting the lake, and would accordingly have greater awareness of the potential advantages and disadvantages of various means of addressing issues.

The disadvantages of this proposal are dependent upon the scope of the board's granted authority and on the cost or need for staffing to assist with completion of tasks. If the board was to be given functions

such as a mandatory referral process and site plan or subdivision reviews, these would constitute yet another layer of governmental regulatory delays for developers.

Proposal 2: Lake Board with Formal, Direct Powers - In many respects similar to Proposal 1 above, this alternative proposes the establishment of a supervising organization to make recommendations provide guidance and coordinate the implementation of the LWRP. The board, however, would have formal authority to conduct enforcement and approval activities.

Intermunicipal cooperation in comprehensive planning and land use regulation is authorized under article five-G of General Municipal Law, and is described by 20-g of General City Law, 284 of Town Law, 7-741 of Village Law and 119-u of General Municipal Law. Such a municipal board may "...perform or exercise any function or power which each of the municipal corporations has the authority by any general or special law to prescribe, perform, or exercise separately." Suggested membership of this board could include a representative from each of the nine local municipalities substantially contained within the watershed, plus a representative each from the Chautauqua County Planning Board and the Environmental Management Council.

In addition to the activities identified above, the Lake Board could be responsible for formal or informal reviews of development projects proposed for location within the WRA. The board could also provide for a land use and enforcement program to ensure compliance with guidelines set forth by municipalities in accordance with the LWRP or watershed management plan.

Advantages of this proposal include the improved likelihood of successful implementation of the LWRP recommendations. This board's authority would be greater than an advisory board, and as such could address more of the recommendations made in the plan. The possibility of an enforcement program would also help address the public concern over lack of enforcement of existing regulations identified in the 1991 watershed survey.

Disadvantages of this alternative include the costs of personnel needed by the board, and the costs of any enforcement activities the board may undertake.

Proposal 3: Watershed Authority - This proposal calls for the creation of a Chautauqua Lake District and Authority to coordinate the implementation of plans, programs and studies affecting Chautauqua Lake. A Watershed Authority can only be created through the NYS Assembly and Senate, with the Governor signing legislation.

The Watershed Authority would also have the responsibilities proposed for the watershed board (see Proposal 2). The Authority could also coordinate a watershed district taxation program to procure funding for implementation activities. These taxation powers would be the primary advantage of establishing a Watershed Authority, which would secure funding for the implementation of various improvement programs and studies.

It should be noted that the 1991 watershed survey indicated that there was not public support for the creation of a watershed authority that has taxing powers at that time. 62.3% of those respondents

disagreed or disagreed strongly that if a watershed management district was created it should have taxing powers. Taxation would be an additional cost to all property and business owners in the watershed. The costs of personnel, should they be needed by the authority, are an additional disadvantage of this alternative. The management approach embodied by the watershed authority may or may not be as sensitive to or aware of local municipal issues and considerations as a smaller, more locally involved board.

Efforts to create such an authority died in 2002 and 2003 due to strong public sentiment against additional taxes. The Chautauqua County Legislature formed the Chautauqua Lake Management Commission, an advisory board, as a result of the previous discussions.

Proposal 4: County Watershed Protection District - Under this proposal, Chautauqua County would establish a small watershed protection district and a corresponding watershed agency. The creation of such districts is authorized by Public Law 566, the Watershed Protection and Flood Prevention Act. The County Watershed Protection Board would oversee the district, and would be responsible for "...undertaking, constructing and maintaining projects and works of improvement for flood prevention, land treatment, and for the conservation, development, disposal and utilization of water including but not limited to use for irrigation in watershed and sub-watershed areas...".

A County Watershed Protection District would help coordinate the implementation of activities, particularly those pertaining to lake levels, sedimentation, open space and development. The board would primarily provide guidance and make recommendations, but could also undertake some of its own implementation projects. If desired, the creation of a watershed protection district allows for the assessment, levy and collection of funding from property owners within the district to cover expenses associated with the establishment of the district and with providing improvements therein.

Such districts, however, have very specific authority that is primarily concerned with flood and erosion control. The establishment of a County small watershed protection district would not provide the authority to address or implement many of actions. This alternative proposes a management scheme that does not involve the same level of local involvement as other proposals, and thus may not be as sensitive to or aware of local concerns. Other disadvantages of this alternative include the costs of personnel, should any be hired by the district, and the costs of additional taxation to watershed residents and businesses if the district is granted taxing jurisdiction.

Financial Resources Necessary to Implement the LWRP

The implementation of the projects proposed in this Local Waterfront Program will require an undetermined amount of combined public and private funds. As a part of this LWRP, projects were collected from communities in various states of readiness. Projects with renderings and cost estimates for development were included at the end of section IV.

The following pages list some potential funding sources for proposed LWRP projects, including public grants and loans and potential private foundations.

**Funding Sources Appropriate for the Chautauqua Lake
Communities Local Waterfront Revitalization Program**

Funding Agency	Program	Assistance Type	Purpose
Federal			
Department of Commerce, Economic Development Agency	ED grants for Public Works And Infrastructure Development	Up to 80% of a project in severely distressed areas.	Project grants to promote long-term economic development and assist in the construction of public works and development facilities.
Department of Housing and Urban Development	Section 108 Loan *	Loan guarantees	Assist in economic development, housing rehabilitation, public facilities, and large-scale development projects.
	Economic Development Initiative (EDI)	Grants awarded in connection with Section 108 Loans.	Grants to further subsidize Section 108 Loan projects.
	Brownfield Economic Development Initiative (BEDI)	Grants awarded in connection with Section 108 Loans.	EDI-type grant assistance to help redevelop sites complicated by environmental contamination.
Department of Agriculture	Business & Industry (B&I) Loan Guarantees	Guarantees up to 80% of a loan made by a commercial lender. May be used for working capital, machinery and equipment, buildings and real estate, & defined types of debt financing. (Maximum aggregate amount to any one borrower: \$25 million)	Create and maintain employment and improve the economic climate in rural areas. Rural areas include all areas other than cities of more than 50,000 pop. and their immediately adjacent urban or urbanizing areas.
	Business & Industry (B&I) Direct Loans	Loans to public entities and private parties who cannot obtain credit from other sources. Loans to private parties can be made for improving, developing, or financing business and industry, creating jobs and improving the economic and	Create and maintain employment and improve the economic climate in rural communities.

Chautauqua Lake Local Waterfront Revitalization Program

Funding Agency	Program	Assistance Type	Purpose
		environmental climate in rural communities. (including pollution abatement) (Maximum aggregate loan amount to any one borrower: \$10 Million)	
	Intermediary Relending Program Loans	RBS lends funds to intermediaries, (i.e. public bodies, nonprofit coops) which, in turn, provide loans to recipients.	Loans to finance business facilities and community development projects in rural areas, including cities w/a Pop. < 25,000
	Rural Business Enterprise Grants	Direct Grant	Finance and facilitate development of small and emerging private business enterprises located in rural areas. Can be used for both hard and soft costs.
	Rural Business Opportunity Grants	Direct Grant. Nonprofit and public bodied eligible. Maximum of \$1.5 million per grant is authorized by legislation.	Funding for technical assistance, training, & planning activities that improve economic conditions in rural areas.
	Community Facilities	Loan / Grant	Designed to facilitate the development of essential community facilities and services in rural areas (20,000)
Small Business Administration	7 (A) Loan Guaranty Program	The maximum amount the SBA can guaranty is generally \$2,000,000. Guaranty can be up to 85% of loans of \$150,000 or less, and up to 75% of loans above \$150,000. Express loans can be up to 50% of \$2,000,000.	Loans can be used for most business purposes including, but not limited to, purchase of real estate; construction; renovation or leasehold improvements; acquisition of furniture, fixtures, machinery, and equipment; purchase of inventory; working capital.
	LowDoc Loan Program	Loan. Max amount \$100,000	Loans can be used for most business purposes including, but not limited to, purchase of real estate; construction;

Funding Agency	Program	Assistance Type	Purpose
			renovation or leasehold improvements; acquisition of furniture, fixtures, machinery, and equipment; purchase of inventory; working capital. Designed to increase the availability of loans under \$100,000
	Certified Development Company (504) Loan Program	Senior lien from a private sector lender: 50%; junior lien: 40%. Contribution of at least 10% equity. Must create or retain one job for every \$50,000.	Provides growing businesses with long-term, fixed-rate financing for major fixed assets, such as land and buildings.
	Short Term Loans and Revolving Lines of Credit CAP Lines Loan Program	Can be for any dollar amount (except for the Small Assets-Based Line). The interest rate can be up to 2.5% over prime	Umbrella program which helps business meet their short-term and cyclical working capital needs. There are 5 programs: Seasonal Line; Contract Line; Builders Line; Standard Assets-Based Line; Small Assets-Based Line.
Small Business Administration	International Trade Loans	Can guaranty as much as \$1,250,000 in combined working capital and facilities-and- equipment loans. Applicant must establish that the loan will significantly expand or develop an export market	For business engaged in, or preparing to engage in, international trade, or are adversely affected by competition from imports.
	Export Working Capital Program	Loan requests of \$1,111,111 or less processed by the SBA, requests over \$1,111,111 processed by Ex-Im Bank.	Designed to provide short-term working capital to exporters. Combined effort involving SBA and Ex-Im Bank.
	Pollution Control Loan Program	Guarantee up to \$1,000,000	Intended to provide loan guarantees to eligible small business for the financing of the planning, design, or installation of a pollution

Funding Agency	Program	Assistance Type	Purpose
			control facility.
	Qualified Employee Trusts Loan Program	The maximum amount the SBA can guaranty is generally \$2,000,000. Guaranty can be up to 85% of loans of \$150,000 or less, and up to 75% of loans above \$150,000. Express loans can be up to 50% of \$2,000,000.	Objective is to provide financial assistance to Employee Stock Ownership Plans. Trust must be part of a plan sponsored by the employer company and qualified under IRS regs.
	Micro Loan Program	Depending on the earnings of the business, loan maturity may be as long as 6 years. Rates are no more than 4% over prime. SBA makes funds available to nonprofit intermediaries, who make loans in the amount that range from under \$100 to a max of \$35,000	Developed to increase the availability of very small loans to business borrowers.
State			
Empire State Development Corp.	JOBS Now		Provides financial assistance to projects that involve the expansion of an eligible business within the State or the attraction of a business that will result in the creation of 300 new, permanent, full-time jobs. (Retention does not count)
	Job Creation Grants	Direct Grants	Used to defray state and/or local tax liability.
	Worker Training Grants	Direct Grants	Offset costs of worker retraining programs that focus on new hire training, recruitment, skills upgrading, productivity enhancement and total product/service quality

Chautauqua Lake Local Waterfront Revitalization Program

Funding Agency	Program	Assistance Type	Purpose
			enhancement.
	Capital Loans & Grants	Loan and/or grant with interest rate not Lower than 3%.	For purposes of infrastructure upgrades (e.g., access roads, water/sewer lines, site prep. etc.) as well as the acquisition of land, buildings, machinery & equipment and related soft costs
	Interest Subsidy Grants	Not to reduce the debt service costs to less Than 3%.	Designed to offset debt service costs associated with loans made to businesses by private lending institutions.
Empire State Development Corp.	Working Capital Loans and Loan Guarantees	Limited to no more than 60% of the loan being guaranteed	Made to businesses undertaking projects to finance expenses such as accounts receivable and inventory.
	Economic Development Fund		Designed to provide flexible assistance for projects that promote the economic health of NYS by facilitating the creation and/or retention of jobs and the increase of business activity in the state.
	General Development Financing	Loans and loan guarantees:>\$75,000 and <\$ 2.0 Million Int. subsidy grants>\$75,000 and <\$500,000 and reduced loans for up to 5 years	Used for the purposes of new construction, renovation, leasehold improvements acquisition of land, buildings and machinery and soft costs.
	Federal & Urban Site Dev. Financing	Loans and loan guarantees >\$75,000 and not to exceed 50% of project costs. Grants >\$25,000 and <\$100,000	Used for the purposes of new construction, renovation, leasehold improvements acquisition of land, buildings and machinery and soft costs.
	Infrastructure Development Financing	Loans and guarantees >\$10,000 and <\$500,000. Loans between 40% and 50%	For the development of basic infrastructure site improvements and related

Funding Agency	Program	Assistance Type	Purpose
		of the total ESDC	soft costs.
	Regional and Economic Industry Planning Studies and Economic Development	Grants not to exceed \$50,000 with a 10% match	For preparation of strategic plans, analysis of business sectors, marketing and promoting regional business clusters, feasibility studies, planning for new enterprise development and identification of new business opportunities.
	Commercial Area Development Financing	Loans, loan guarantees and grants. Planning- >\$25,000 and <\$100,000. For construction - >\$75,000 and <\$1,000,000.	Assistance for projects whose purpose is to improve commercial buildings, commercial strips, downtown areas and business districts.
	Small Cities Community Development Block Grants (CDBG)	Grants awarded on city-by-city basis.	Economic and community development for low/moderate income benefit. Program includes: infrastructure development, technical assistance/training and revolving loan funds.
	JDA Rural Loan Fund		Funding programs specifically for rural counties in NYS.
	1. Rural Loan Fund	Loans and working capital. Loans up to 20% of project costs with a cap of \$50,000. Int. rate +Prime minus 3% with a cap of 10% and a floor of 5%.	For manufacturing and non-retail service companies located in rural NY for the acquisition of fixed assets as well as working capital.
	2. Rural Area Development Fund.	Loans up to 90% of project costs with cap of \$90,000 per project.	For expanding businesses in rural counties with an agricultural component.

Funding Agency	Program	Assistance Type	Purpose
	3.Direct Loan Program	Fixed and variable rate loans	To provide financing for growth of manufacturing and other private business in NYS. Funds can be used for machinery and equipment and second mortgage loans.
	4.Enhanced SBA 504 Loans	Fixed and variable rate loans (can be combined with interest rate subsidy grants).	Program offers small to medium sized businesses in NYS greater access to long-term fixed asset financing.
Department of Transportation	Industrial Access Program	60% grant and 40% loan	Funds available for industrial access highway and bridge transportation improvements that result in the creation or retention of jobs.
	Transportation Equity Act For the 21st Century	Reimbursable program up to 80% of the eligible project costs.	Provides funding for non-traditional projects that add value to the surrounding transportation system.
Department of Environmental Conservation	Voluntary Remediation Program	Technical Assistance	Assist communities with the clean-up of brownfield sites for redevelopment
	Clean Water/Clean Air Environmental Bond Act	Funds and grants	Breakdown: municipal water supply systems, water quality improvement, open space, for parks, municipally run small business environmental compliance to enhance water quality, solid waste, municipal site restoration, and clean air projects.
Department of State	Environmental Protection Fund – Local Waterfront Revitalization Program	Grant. 50% match	Funding for planning, design, feasibility studies, and construction projects that advance preparation or implementation of Local Waterfront Revitalization Programs.

Chautauqua Lake Local Waterfront Revitalization Program

Funding Agency	Program	Assistance Type	Purpose
	Rural New York Grant Program	Grant	Up to \$5,000 for historic resource surveys, public education and planning and design studies.
	NPS Council on the Arts Community Grant	Grant	Up to \$10,000 for planning efforts, historic preservation, and cultural programs.
Office of Parks, Recreation, and Historic Preservation	Environmental Protection Fund	Grant. 50% match	Provides funding for Parks (i.e., preserve, rehabilitate or restore lands, waters or structures for park, recreation or conservation purposes); Heritage Areas (i.e., restore or rehab lands, waters or structures); Historic Preservation (i.e., improve, protect, preserve, rehabilitate or restore properties on the State or National Register); and Acquisition (i.e., permanent easement in or fee title to lands, waters or structure for park, recreation, conservation or preservation purposes).
	Land and Water Conservation Fund	Grant. 50% match	Park development or acquisition of parkland.
County			
Industrial Development Agency	Industrial Development Bond – Tax Exempt	Bond. >\$1,000,000 and <\$10,000,000	Manufacturing and some civic facility projects. Land, building acquisition, renovation, construction, new machinery and equipment.
		Bond. Minimum of \$400,000 with no upper limit. Project	Primarily for manufacturing and certain commercial

Chautauqua Lake Local Waterfront Revitalization Program

Funding Agency	Program	Assistance Type	Purpose
		must have public economic benefit and result in job creation.	projects for land, building acquisition, renovation, construction, new machinery and equipment.
		Chautauqua Revolving Loan Fund	Loan. Maximum \$75,000 with 5-year maturity. Job creation/retention \$15,000 per job.
		AI tech Revolving Loan Fund	Loan. Limited to 40% of eligible project costs. Maximum \$1,000,000 with 7-10 year maturity. Must result in job creation of \$35,000 per job.
		Chautauqua County Microenterprise Loan Fund	Loan. Minimum of \$ 1,000 and maximum of \$15,000 with a maximum term of 72 months.
		Chautauqua County Economic Development Fund	
Private Sector			
National Trust for Historic Preservation	Various Programs	Grants and loans	Historic Renovation Projects
Trust for Public Land	Various Programs	Grants and loans, technical assistance	Open space protection
Kellogg Foundation	Various Programs	Grants	Economic development, environmental affairs, urban & community affairs, among others.
Ford Foundation	Various Programs	Grants	Economic development, environmental affairs, urban & community affairs, among others.

Chautauqua Lake Local Waterfront Revitalization Program

Funding Agency	Program	Assistance Type	Purpose
The Waterfront Development Center	Various Programs	Grants and technical assistance	Waterfront and waterfront related development
New York State Council on the Arts	Architecture and Environmental Arts Programs and Planning Projects	Grants and technical assistance	Various arts related projects

Section VI. State Actions & Programs Likely to Affect Implementation

State actions will affect and be affected by implementation of the LWRP. Under State law, certain State actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This "consistency requirement" makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions. This also helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State agencies that should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs that are to be undertaken in a manner consistent with approved LWRPs. The lists of State actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State agency actions that are necessary to further implementation of the LWRP. It is recognized that a State agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements cannot be used to require a State agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State assistance needed to implement the LWRP.

State Programs that should be Consistent with the LWRP:

OFFICE FOR THE AGING

- 1.0 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs.

- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and Approval Programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer's Permits
 - 1.14 Liquor Store License
 - 1.15 On-Premises Liquor Licenses
 - 1.16 Plenary Permit (Miscellaneous-Annual)
 - 1.17 Summer Beer and Liquor Licenses
 - 1.18 Tavern/Restaurant and Restaurant Wine Licenses 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit
 - 1.21 Wine Store License
 - 1.22 Winter Beer and Liquor Licenses
 - 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
 - 3.01 Letter Approval for Certificate of Need
 - 3.02 Operating Certificate (Alcoholism Facility)
 - 3.03 Operating Certificate (Community Residence) 3.04 Operating Certificate (Outpatient Facility) 3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

1.00 Permit and approval programs:

- 1.01 Authorization Certificate (Bank Branch)
- 1.02 Authorization Certificate (Bank Change of Location)
- 1.03 Authorization Certificate (Bank Charter)
- 1.04 Authorization Certificate (Credit Union Change of Location)
- 1.05 Authorization Certificate (Credit Union Charter)
- 1.06 Authorization Certificate (Credit Union Station)
- 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
- 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
- 1.09 Authorization Certificate (Investment Company Branch)
- 1.10 Authorization Certificate (Investment Company Change of Location)
- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

OFFICE OF CHILDREN AND FAMILY SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities
- 2.00 Homeless Housing and Assistance Program
- 3.00 Permit and approval programs:

- 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
- 3.02 Operating Certificate (Children's Services)
- 3.03 Operating Certificate (Enriched Housing Program)
- 3.04 Operating Certificate (Home for Adults)
- 3.05 Operating Certificate (Proprietary Home)
- 3.06 Operating Certificate (Public Home)
- 3.07 Operating Certificate (Special Care Home)
- 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF CORRECTIONAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

EMPIRE STATE DEVELOPMENT/EMPIRE STATE DEVELOPMENT CORPORATION

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs
- 2.00 Allocation of the state tax-free bonding reserve

DEPARTMENT OF ECONOMIC DEVELOPMENT

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certification of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesale of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.0 Issuance of revenue bonds to finance pollution abatement modifications in power- generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.

- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - a. Water Quality Improvement Projects
 - b. Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:
 - Air Resources*
 - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
 - 9.02 Certificate of Compliance for Tax Relief – Air Pollution Control Facility
 - 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or ventilation system
 - 9.04 Permit for Burial of Radioactive Material
 - 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
 - 9.06 Permit for Restricted Burning
 - 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System Construction Management
 - 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities
 - Fish and Wildlife*
 - 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
 - 9.10 Commercial Inland
 - Fisheries Licenses*
 - 9.11 Fishing Preserve License
 - 9.12 Fur Breeder's License'
 - 9.13 Game Dealer's License
 - 9.14 Licenses to Breed Domestic Game Animals
 - 9.15 License to Possess and Sell Live Game
 - 9.16 Permit to Import Transport and/or Export under Section 184.1(11-051 1)
 - 9.17 Permit to Raise and Sell Trout
 - 9.18 Private Bass Hatchery Permit
 - 9.19 Shooting Preserve Licenses

- 9.20 Taxidermy License
- 9.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.23 Permit - Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.28 Floating Object Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non-Resident Food Fishing Vessel
- 9.34 Non-Resident Lobster Permit
- 9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.36 Permits to Take Blue-Claw Crabs
- 9.37 Permit to Use Pond or Trap Net
- 9.38 Resident Commercial Lobster Permit 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit - Article 25, (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.45 Underground Storage Permit (Gas)
- 9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

- 9.47 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
- 9.50 Certificate of Approval of Realty Subdivision Plans 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.53 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas

- 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.56 Approval -Drainage Improvement District 9.57 Approval - Water (Diversions for) Power
- 9.58 Approval of Well System and Permit to Operate 9.59 Permit - Article 15, (Protection of Water) – Dam
- 9.60 Permit - Article 15, Title 15 (Water Supply)
- 9.61 River Improvement District Approvals
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.
- 12.00 Preparation and revision of Statewide Environmental Plan.
- 13.00 Protection of Natural and Man-made Beauty Program.
- 14.00 Urban Fisheries Program.
- 15.00 Urban Forestry Program.
- 16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

- 1.0 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easements of land under water, including residential docks with dock and water area over 4,000 square feet, and all commercial docks, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.
- 4.00 Administration of Article 5, Section 233, sub. 5 of the Education Law, on removal of archeological and paleontological objects from under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law, regarding location of structures in or on navigable waters.

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Approval of Completed Works for Public Water Supply Improvements 2.02 Approval of Plans for Public Water Supply Improvements
 - 2.03 Certificate of Need (Health Related Facility - except Hospitals) 2.04 Certificate of Need (Hospitals)
 - 2.05 Operating Certificate (Diagnostic and Treatment center) 2.06 Operating Certificate (Health Related Facility)

- 2.07 Operating Certificate (Hospice)
- 2.08 Operating Certificate (Hospital)
- 2.09 Operating Certificate (Nursing Home)
- 2.10 Permit to Operate a Children's Overnight or Day Camp 2.11 Permit to Operate a Migrant Labor Camp
- 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer 2.13 Permit to Operate a Service Food Establishment
- 2.14 Permit to Operate a Temporary Residence/Mass Gathering
- 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
- 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOMES AND COMMUNITY RENEWAL and its subsidiaries and affiliates

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
 - 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs
 - 2.05 Rural Initiatives Grant Program
 - 2.06 Rural Preservation Companies Program
 - 2.07 Rural Rental Assistance Program
 - 2.08 Special Needs Demonstration Projects
 - 2.09 Urban Initiatives Grant Program
 - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities. 2.00 Affordable Housing Corporation

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Operating Certificate (Community Residence)
 - 2.02 Operating Certificate (Family Care Homes)
 - 2.03 Operating Certificate (Inpatient Facility)

2.04 Operating Certificate (Outpatient Facility)

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan

NATURAL HERITAGE TRUST

- 1.0 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including regional State Park Commission)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Land and Water Conservation
- 5.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 6.00 Permit and approval programs:
 - 6.01 Floating Objects Permit
 - 6.02 Marine Regatta Permit
 - 6.03 Navigation Aide Permit
 - 6.04 Posting of Signs Outside State Parks
- 7.00 Preparation and revision of the Statewide Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation, or related purposes.
- 8.00 Recreation services program.
- 9.00 Urban Cultural Parks Program.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License

- 4.02 Cemetery Operator
- 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisitions disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
 - a. Highways and parkways
 - b. Bridges on the State highways system
 - c. Highway and parkway maintenance facilities
 - d. Rail facilities
- 3.00 Financial assistance/grant programs:
 - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
 - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
 - 3.04 Subsidies program for marginal branch lines abandoned by Conrail
 - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
 - 4.01 Approval of applications for airport improvements (construction projects)
 - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
 - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
 - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
 - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
 - 4.06 Highway Work Permits
 - 4.07 License to Operate Major Petroleum Facilities
 - 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
 - 4.09 Real Property Division Permit for Use of State-Owned Property

- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

URBAN DEVELOPMENT CORPORATION (and its subsidiaries and affiliates)

- 1.00 Acquisition, disposition, lease, grant of easement, or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
 - a. Tax-Exempt Financing Program
 - b. Lease Collateral Program
 - c. Lease Financial Program
 - d. Targeted Investment Program
 - e. Industrial Buildings Recycling Program
- 3.00 Administration of special projects,
- 4.00 Administration of State-funded capital grant programs

DIVISION OF YOUTH

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

State Programs Necessary to Further the LWRP:

DEPARTMENT OF ECONOMIC DEVELOPMENT

- 1. Any action or provision of funds for the development or promotion of tourism related activities or development
- 2. Any action involving the Seaway Trail.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1. Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
- 2. Advance assistance under the Small Communities and Rural Wastewater Treatment Grant Program and a subsequent construction grant subsidy.
- 3. Review of actions within National Register Districts pursuant to SEQR.

DIVISION OF HOMES AND COMMUNITY RENEWAL

- 1. Provision of funding under the Rural Preservation Company Program.
- 2. Approval of funding for Rural Area Revitalization Program projects.

JOB DEVELOPMENT AUTHORITY

1. Provision of low interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
2. Provision of funding for State and local activities from the Land and Water Conservation Fund.
3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Certification of properties within the National Register Districts.
5. Provision of funding for State and local historic preservation activities.
6. Review of Type I actions within the National Historic Districts
7. Activities under the Urban Cultural Park program.

DEPARTMENT OF STATE

1. Provision of funding for the implementation of an approved LWRP.
2. Provision of funding under the Community Services Block Grant program.

COUNCIL ON THE ARTS

1. Assistance from the Architecture and Environmental Arts program for a harbor front plan.

DEPARTMENT OF TRANSPORTATION

1. Assistance for street repairs through the Consolidated Highway Improvements Program.
2. Enhancements via the Transportation Efficiency Act for the 21st Century.

OFFICE OF GENERAL SERVICES (OGS)

1. Prior to any development occurring in the water or on the immediate waterfront, OGS will be contacted for a determination of the State's interest in underwater or formerly underwater lands and for authorization to use and occupy such lands.

Section VII. Local Commitment & Consultation

Local Commitment

In the fall of 2000, a local waterfront committee was created by each municipality to guide development of the Chautauqua Lake Local Waterfront Revitalization Program. Members of each committee were appointed by the mayor or supervisor of each participating Village and Town. Members included local business owners, elected municipal leaders, planning board members, interested citizens and municipal staff.

Consultation

Monthly committee meetings were held as the LWRP was under development. In an effort to encourage public participation, each month meeting venues were held at three locations around the lake.

Members from the Chautauqua County Planning Department assisted the committee in the development of the inventory and analysis, and program policies portions of the law. Public meetings with participatory planning activities were held at five separate times in multiple locations to solicit input from the community. Additional input and confirmation regarding proposed land and water uses and proposed projects was also asked for from each municipal board.

Appendix A Waterfront Consistency Law and Waterfront Assessment Form

To ensure implementation of the LWRP, each participating Chautauqua Lake community has adopted a local Waterfront Consistency Law, which included a Waterfront Consistency Assessment Form. As an example, see below the Town of Chautauqua Waterfront Consistency Law.

Town of Chautauqua Local Law No. 4 of 2008

ADOPTING WATERFRONT CONSISTENCY REGULATIONS

Be it enacted by the Town of Board of the Town of Chautauqua, County of Chautauqua and State of New York, as follows:

SECTION 1. WATERFRONT CONSISTENCY LAW

A new Chapter 141 providing for waterfront consistency regulations, is hereby added to the Town of Chautauqua Code, and shall read as follows:

Chapter 141 Waterfront Consistency

- §141-1. Title.**
- §141-2. Authority and Purpose.**
- §141-3. Definitions.**
- §141-4. Review of Actions.**
- §141-5. LWRP Policy Standards & Conditions.**
- §141-6. Enforcement.**
- §141-7. Violations; penalties for offenses.**

§141-1. Title.

This article will be known as the Town of Chautauqua Waterfront Consistency Law.

§141-2. Authority and Purpose.

A. This chapter is adopted under the authority of the Municipal Home Rule Law §10 and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).

B. The purpose of this chapter is to provide a framework for agencies of the Town of Chautauqua to consider the policies and purposes contained in the Chautauqua Lake Local Waterfront Revitalization Program when reviewing applications for actions or undertaking direct agency actions in the waterfront area, and to assure that such actions are consistent therewith.

C. It is the intention of the Town of Chautauqua to preserve, enhance and use the natural and manmade resources of the unique waterfront areas of the Town in a coordinated and comprehensive manner, to ensure a proper balance between such natural resources and the accommodation of population growth and economic development. This chapter is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing loss of fish and wildlife, diminution of open space areas or public access to the waterfront, erosion of shoreline, losses due to flooding, erosion and sedimentation, impairment of water quality, impairment of scenic, cultural or historic resources, and permanent adverse changes to ecological systems.

D. The substantive provisions of this chapter shall only apply while there is in existence a Local Waterfront Revitalization Program that has been adopted in accordance with Article 42 of the Executive Law of the State of New York

§141-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated.

ACTION – All of the following, except minor actions, that are undertaken by an agency:

A. Projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that are:

1. directly undertaken by an agency;
2. involve funding by an agency; or
3. require one or more new or modified approvals from an agency or agencies

B. Agency planning and policy-making activities that may affect the

environment and commit the agency to a definite course of future decisions;

C. Adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and

D. Any combination of the above.

AGENCY - Any board, agency, department, office, other body, or officer of the Town of Chautauqua.

CONSISTENT - Consistent with the LWRP policy standards and conditions and, whenever practicable, advancing one or more of them.

DIRECT ACTION - An action planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rule-making, procedure-making and policy-making.

ENVIRONMENT - The physical conditions that will be affected by a proposed action, including land, air, water, minerals, flora fauna, noise, resources of agricultural, archaeological, historic or aesthetic significance, existing patterns of population concentration, distribution or growth, existing community or neighborhood character, and human health.

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) - The Chautauqua Lake Local Waterfront Revitalization Program in which the Town of Chautauqua is included, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in Town Clerk's Office.

MINOR ACTION - Includes the following:

A. Maintenance or repair involving no substantial changes in an existing structure or facility;

B. Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas designated by the Coastal Erosion Hazard Area (CEHA) law where structures may not be replaced, rehabilitated or reconstructed without a permit;

C. Repaving or widening of existing paved highways not involving the addition of new travel lanes;

D. Street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;

E. Maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected, or within significant coastal fish and wildlife habitat areas;

- F. Granting of individual setback and lot-line variances, except in relation to a regulated natural feature, a bulkhead or other shoreline defense structure;
- G. Minor temporary uses of land having negligible or no permanent impact on coastal resources or the environment;
- H. Installation of traffic-control devices on existing streets, roads and highways;
- I. Mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- J. Information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any action; g actions, which are not subject to review under this chapter:
- K. Official acts of a ministerial nature involving no exercise of discretion, including building permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building code.
- L. Routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- M. Conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- N. Collective bargaining activities;
- O. Investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- P. Inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- Q. Purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, storage of road deicing substances, or other hazardous materials;
- R. Adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- S. Engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all

requirements of this chapter have been fulfilled;

T. Civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;

U. Adoption of a moratorium on land development or construction;

V. Interpreting an existing code, rule or regulation;

W. Designation of local landmarks or their inclusion within historic districts;

X. Emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance practicable under the circumstances to coastal resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this chapter;

Y. Local legislative decisions such as rezoning where the Town Board determines the action will not be approved.

WATERFRONT AREA - The Waterfront Revitalization Area delineated within the Town of Chautauqua in the Chautauqua Lake Local Waterfront Revitalization Program.

WATERFRONT ASSESSMENT FORM (WAF) - The form used by an agency to assist it in determining the consistency of an action with the Local Waterfront Revitalization Program.

§141-4. Review of Actions.

A. Whenever a proposed action is located in the Waterfront Area, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards and conditions set forth in Section 141-5 hereof. No action in the Waterfront Area shall be approved, funded or undertaken by that agency without such a determination.

B. Whenever an agency receives an application for approval or funding of an action or as early as possible in the agency's formulation of a direct action within the Waterfront Area, the applicant, or in the case of a direct action, the agency, shall prepare a Waterfront Assessment Form (WAF) to assist with the consistency review.

C. The agency shall refer a copy of the completed WAF to the Town Zoning Board of Appeals within ten (10) days of its receipt and, prior to making its determination, shall consider the recommendation of the Town Zoning Board of Appeals about the consistency of the proposed action.

D. Upon receiving a referral from an agency, the Town Zoning Board of Appeals shall consider whether the proposed action is consistent or inconsistent with the LWRP

policy standards and conditions set forth in Section 141-5 hereof, as follows:

1. The Zoning Board of Appeals shall render a written recommendation to the agency within thirty (30) days following referral of the WAF from the agency, unless such time is extended by mutual agreement of the Board and the applicant or in the case of a direct action, the agency.

2. The Zoning Board of Appeals may require the applicant to submit all completed applications, WAFs and any other information deemed necessary for such consideration.

3. The recommendation shall indicate whether the proposed action is consistent or inconsistent with one or more of the LWRP policy standards or conditions and the basis of the opinion.

4. The Zoning Board of Appeals also shall make any suggestions to the agency concerning modification of the proposed action to make it consistent with the LWRP policy standards and conditions or to greater advance them.

5. If the Zoning Board of Appeals does not timely render its recommendation, the referring agency may make its determination without the benefit of the Board's recommendation.

E. If the agency and the Zoning Board of Appeals concur in the consistency of the proposed action, the agency may proceed with the action. If the agency disagrees with the recommendation, the agency shall within ten (10) days prepare and transmit to the Zoning Board of Appeals a written finding detailing its position. The Board and the agency shall meet to resolve their differences within fifteen (15) days of the Board's receipt of the agency's finding.

F. If the Board and the agency cannot reach a mutually agreeable determination of consistency, the matter will be referred to the Town Board for a finding of consistency. The agency shall take no action until the Town Board has made a determination and finding of consistency with the LWRP.

1. Where the Zoning Board of Appeals is the agency, this subsection shall not apply, but the Zoning Board of Appeals shall make a consistency finding when reviewing and considering an application for a variance or special use permit.

2. Where the Town Board is the agency, this subsection shall not apply, but the Town Board shall consider the consistency recommendation of the Zoning Board of Appeals and policy standards when making its final determination.

G. Where an action involves the preparation of an Environmental Impact Statement (EIS) for purposes of environmental review, the draft EIS shall identify applicable LWRP policy standards in Section 20-120 and thoroughly discuss the effects of the proposed action on such policy standards.

H. The Town Clerk shall maintain a file for each action subject to a consistency determination, which shall include any recommendation received from the Zoning Board of Appeals, and such files shall be kept open for public inspection upon request.

§141-5. LWRP Policy Standards & Conditions.

Actions to be undertaken within the Waterfront Area shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, which are derived from and further explained and described in Section III of the Chautauqua Lake LWRP, a copy of which is on file in Town Clerk's office and available for inspection during normal business hours.

In the case of direct actions, the agency shall also consult with Section IV of the LWRP in making its consistency determination.

The action shall be consistent with policies to:

- A. Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development. (Policy 1)
- B. Preserve historic resources of the waterfront area of Chautauqua Lake. (Policy 2)
- C. Enhance visual quality and protect scenic resources in the Chautauqua Lake area. (Policy 3)
- D. Minimize loss of life, structures, and natural resources from flooding and erosion. (Policy 4)
- E. Protect and improve water resources. (Policy 5)
- F. Protect ecological resources around Chautauqua Lake, including important fish habitats, wetlands, and rare ecological communities. (Policy 6)
- G. Protect and improve air quality in the Chautauqua Lake area. (Policy 7)
- H. Minimize environmental degradation in the Chautauqua Lake communities from solid waste and hazardous substances and wastes. (Policy 8)
- I. Provide for public access to, and recreational use of, waterfront, public lands, and public resources of the waterfront area. (Policy 9)
- J. Protect Chautauqua Lake's water-dependent uses and promote siting of new water-dependent uses in suitable locations. (Policy 10)
- K. Promote the sustainable use of fish resources in Chautauqua Lake. (Policy 11)
- L. Protect existing agricultural lands in and adjacent to the Chautauqua Lake Waterfront Revitalization Area. (Policy 12)
- M. Promote appropriate use and development of energy and mineral resources. (Policy 13)

§141-6. Enforcement.

No action within the Waterfront Area that is subject to review under this chapter shall proceed until a written determination has been issued from a Town agency that the action is consistent with the Town's LWRP policy standards. In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Code Enforcement Officer or any other authorized official of the Town shall issue a stop-work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop-work order is in effect. The Town Code Enforcement Officer and Town Attorney shall be responsible for enforcing this chapter.

§141-7. Violations; penalties for offenses.

A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this chapter shall have committed a violation, punishable by a fine not exceeding \$250 for a conviction of a first offense and punishable by a fine of \$500 for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.

B. The Town Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this chapter. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

SECTION 2. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law as a whole or any part or provision hereof other than the provision so found to be invalid.

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2008 of the (~~County~~)(City)(Town)(~~Village~~) of CHAUTAUQUA was duly passed by the CHAUTAUQUA TOWN BOARD on MAY 12, 2008, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____, 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph-----1-----, above.

SHEILA F. HAMMOND

Sheila F. Hammond
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date:

5/28/08

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK

COUNTY OF Chautauque

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title

County

City

Town

Village

Date:

5/28/08

**Town of Chautauqua
Waterfront Assessment Form**

A. INSTRUCTIONS (Please print or type all answers)

1. Applicants, or in the case of direct actions, Town of Chautauqua agencies, shall complete this WAF for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by the designated Town agency in making a determination of consistency with the Chautauqua Lake Local Waterfront Revitalization Program.
2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Town Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront area.
3. If any questions in Section C on this form are answered "yes", then the proposed action may affect the achievement of the LWRP policy standards contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination regarding its consistency with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.
4. This form should be filled out by the applicant and submitted to the Town of Chautauqua Zoning Board of Appeals.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Type of Town agency action (check appropriate response):
 - (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) _____
 - (b) Financial assistance (e.g. grant, loan, subsidy) _____
 - (c) Permit, approval, license, certification _____
 - (d) Agency undertaking action _____
2. Describe nature and extent of action: _____

3. Location of action (Street or Site Description. Please include the parcel(s) tax map number(s)): _____

4. Size of site: _____
5. Present land use: _____
6. Present zoning classification: _____
7. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, ground depressions, other geological formations): _____

8. Percentage of site which contains slopes of 15% or greater: _____
9. Streams, lakes, ponds or wetlands existing within or continuous to the project area?
 (a) Name _____
 (b) Size (in acres) _____
10. Is the property serviced by public water? Yes _____ No _____
11. Is the property serviced by public sewer? Yes _____ No _____
12. If an application for the proposed action has been filed with the Town agency, the following information shall be provided:
 (a) Name of applicant: _____
 (b) Mailing address: _____
 (c) Telephone number: Area Code () _____
 (d) Application number, if any: _____
 (e) Property tax number: _____
 (Please attach copy of tax map with parcel highlighted)
13. Will the action be directly undertaken, require funding, or approval by a State or federal agency? Yes _____ No _____
 If yes, which State or federal agency? _____

C WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions)

- | | | | |
|-----|---|------------|-----------|
| 1. | Will the proposed action be located in, or contiguous to, | <u>YES</u> | <u>NO</u> |
| | or have a potentially adverse effect upon any of the resource areas | | |
| | identified in the Chautauqua Lake LWRP? | ___ | ___ |
| (a) | Significant fish or wildlife habitats? | ___ | ___ |

- | | | | |
|-----|---|-----|-----|
| (b) | Scenic resources of local or statewide significance? | ___ | ___ |
| (c) | Important agricultural lands? | ___ | ___ |
| (d) | Natural protective features in an erosion hazard area | ___ | ___ |

If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

- | | | | |
|-----|--|------------|-----------|
| 2. | Will the proposed action have a significant effect upon: | <u>YES</u> | <u>NO</u> |
| (a) | Commercial or recreational use of fish and wildlife resources? | ___ | ___ |
| (b) | Scenic quality of the waterfront environment? | ___ | ___ |
| (c) | Development of future, or existing water dependent uses? | ___ | ___ |
| (d) | Stability of the shoreline? | ___ | ___ |
| (e) | Surface or groundwater quality? | ___ | ___ |
| (f) | Existing or potential public recreation opportunities? | ___ | ___ |
| (g) | Structures, sites or districts of historic, archeological or cultural significance to the Town of Chautauqua, State or nation? | ___ | ___ |
| 3. | Will the proposed action involve or result in any of the following: | <u>YES</u> | <u>NO</u> |
| (a) | Physical alteration of land along the shoreline, land under water or water resources? | ___ | ___ |
| (b) | Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? | ___ | ___ |
| (c) | Expansion of existing public services or infrastructure in undeveloped or low density areas of the waterfront area? | ___ | ___ |
| (d) | Energy facility not subject to Article VII or VIII of the Public Service Law? | ___ | ___ |
| (e) | Mining, excavation, filling or dredging? | ___ | ___ |
| (f) | Reduction of existing or potential public access to or along the shore? | ___ | ___ |
| (g) | Sale or change in use of publicly-owned lands located on the shoreline or underwater? | ___ | ___ |
| (h) | Development within a designated flood or erosion hazard area? | ___ | ___ |
| (i) | Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion? | ___ | ___ |
| (j) | Construction or reconstruction of erosion protective structures? | ___ | ___ |
| (k) | Diminished surface or groundwater quality? | ___ | ___ |
| (l) | Removal of ground cover from the site? | ___ | ___ |
| 4. | Project | | |
| (a) | If a project is to be located adjacent to shore: | YES | NO |

(1)	Will water-related recreation be provided?	___	___
(2)	Will public access to the foreshore be provided?	___	___
(3)	Does the project require a waterfront site?	___	___
(4)	Will it supplant a recreational or maritime use?	___	___
(5)	Do essential public services and facilities presently exist at or near the site?	___	___
(6)	Is it located in a flood prone area?	___	___
(7)	Is it located in an area of high erosion?	___	___
(b)	If the project site is publicly owned:	YES	NO
(1)	Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	___	___
(2)	If located in the foreshore, will access to those and adjacent lands be provided?	___	___
(3)	Will it involve the siting and construction of major energy facilities?	___	___
(4)	Will it involve the discharge of effluents from major steam electric generating and industrial facilities into waterfront facilities?	___	___
(c)	Is the project site presently used by the community neighborhood as an open space or recreation area?	YES	NO
(d)	Does the present site offer or include scenic views or vistas known to be important to the community?	___	___
(e)	Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?	___	___
(f)	Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?	___	___
(g)	Will the project involve any waste discharges?	___	___
(h)	Does the project involve surface or subsurface liquid waste disposal?	___	___

- | | | | |
|-----|---|-----|-----|
| (i) | Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials? | ___ | ___ |
| (j) | Does the project involve shipment or storage of petroleum products? | ___ | ___ |
| (k) | Does the project involve discharge of toxics, hazardous substances or other pollutants into water resources? | ___ | ___ |
| (l) | Does the project involve or change existing ice management practices? | ___ | ___ |
| (m) | Will the project affect any area designated as a tidal or freshwater wetland? | ___ | ___ |
| (n) | Will the project alter drainage flow, patterns or surface water runoff on or from the site? | ___ | ___ |
| (o) | Will best management practices be utilized to control storm water runoff into water resources? | ___ | ___ |
| (p) | Will the project utilize or affect the quality or quantity of sole source or surface water supplies? | ___ | ___ |
| (q) | Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates? | ___ | ___ |

D. **REMARKS OR ADDITIONAL INFORMATION** (Add any additional sheets necessary to complete this form)

Preparer's Name (Please print) : _____

Title: _____

Agency: _____

Telephone Number: (_____) _____

Date: _____

Appendix B Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are in Effect

I. PURPOSE OF GUIDELINES

- A. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of the Executive law) and the Department of State's regulations (19 NYCRR Part 600) require certain state agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of approved Local Waterfront Revitalization Programs (LWRPs). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.
- B. The Act also requires that state agencies provide timely notice to the situs local government whenever an identified action will occur within an area covered by an approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist local governments in carrying out their review responsibilities in a timely manner.
- C. The Secretary of State is required by the Act to confer with state agencies and local governments when notified by a local government that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

II. DEFINITIONS

- A. Action means:
 - 1. A "Type 1" or "Unlisted" action as defined by the State Environmental Quality Review Action (SEQRA);
 - 2. Occurring within the boundaries of an approved LWRP; and
 - 3. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the LWRP.
- B. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of an approved LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of an approved LWRP, then the action must be one:

1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
 2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
 3. That will result in an overriding regional or statewide public benefit.
- C. Local Waterfront Revitalization Program or LWRP means a program prepared and adopted by a local government and approved by the Secretary of State pursuant to Executive Law, Article 42; which program contains policies on the management of land, water and man-made resources, proposed land uses and specific projects that are essential to program implementation.

III. NOTIFICATION PROCEDURE

- A. When a state agency is considering an action as described in II above, the state agency shall notify the affected local government.
- B. Notification of a proposed action by a state agency:
1. Shall fully describe the nature and location of the action;
 2. Shall be accomplished by use of either the State Clearinghouse, other existing state agency notification procedures, or through an alternative procedure agreed upon by the state agency and local government;
 3. Should be provided to the local official identified in the LWRP of the situs local government as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the action. (The timely filing of a copy of a completed Coastal Assessment Form with the local LWRP official should be considered adequate notification of proposed action.)
- C. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the chief executive officer can serve as the state agency's notification to the local government.

IV. LOCAL GOVERNMENT REVIEW PROCEDURE

- A. Upon receipt of notification from a state agency, the local government will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon request of the local official identified in the LWRP, the state agency should promptly provide the situs local government with whatever additional information is available which will assist the situs local government to evaluate the proposed action.

- B. If the situs local government cannot identify any conflicts between the proposed action and the applicable policies and purposes of its approved LWRP, it should inform the state agency in writing of its finding. Upon receipt of the local government's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
- C. If the situs local government does not notify the state agency in writing of its finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the municipality's approved LWRP.
- D. If the situs local government notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in V below shall apply. The local government shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the local government shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

V. RESOLUTION OF CONFLICTS

- E. The following procedure applies whenever a local government has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP:
 - 1. Upon receipt of notification from a local government that a proposed action conflicts with its approved LWRP, the state agency should contact the local LWRP official to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and local government representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the local government.
 - 2. If the discussion between the situs local government and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the situs local government shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. The state agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
 - 3. If the consultation between the situs local government and the state agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. The Secretary must receive this request within 15 days following the discussion between the situs local government and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.

4. Within 30 days following the receipt of a request for assistance, the Secretary or a Department of State official or employee designed by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and situs local government.
5. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/hr findings and recommendations.
6. The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

Appendix C Harbor Management Plan

Article 42 of the New York State Executive Law, Section 922 – Waterfront Revitalization of Coastal Areas and Inland Waterways – authorizes local governments to prepare harbor management plans (HMP) as part of their Local Waterfront Revitalization Program (LWRP). In the course of preparing a joint LWRP, the Towns of Chautauqua, Ellery, Ellicott, Busti and North Harmony and Villages of Mayville, Bemus Point, Celoron, and Lakewood recognized the need to manage water activities in areas adjacent to the Waterfront Revitalization Area (WRA) proposed in their program. To that end, the Towns and Villages have integrated an HMP within the LWRP. As outlined below, the HMP addresses conflict, congestion, and competition for space in the use of surface waters and underwater lands and identifies various alternatives for the optimum use of the waterfront and adjacent water surfaces. More specifically, LWRP Section II identifies those areas within the WRA that are recognized as important Town and Village resources; LWRP Section III provides specific guidance for the HMP area; LWRP Section IV summarizes the results of public visioning projects that identified the key harbor management issues concerning water use in the Town, and Village and recommends specific planning principles and capital projects for implementing the vision; LWRP Section VI identifies the authorities of various New York State agencies.

The following list identifies the required elements of a harbor management program found in 19 NYCRR 603.3 – "Harbor Management" and identifies the pertinent section of the LWRP that deals with the element.

a. Boundary

Chautauqua Lake is approximately 17 miles in length with a maximum width of 2 miles. Chautauqua Lake is comprised of two distinct basins, north and south, and covers an area of approximately 20 square miles at an elevation of 1308 feet above mean sea level. The Village of Mayville and Town of Chautauqua shorelines encompass a large portion of the north basin. The Village of Bemus Point and Towns of Ellery and North Harmony have waterfront to the north and south of the center of the lake at the "narrows." The Villages of Celoron and Lakewood and the Towns of Busti and Ellicott are located at the southeastern end of Chautauqua Lake in the south basin. The waterfront boundary for the HMP includes all those lands and waters lying below the low water mark of Chautauqua Lake within the boundaries of the Towns of Chautauqua, Ellery, Ellicott, Busti and North Harmony, encompassing the entire water surface of Chautauqua Lake. The WRA of the Chautauqua Lake LWRP also includes the waterfront areas within the lateral boundaries of Villages of Mayville, Bemus Point, Celoron, and Lakewood.

b. Inventory and Analysis

As noted, the Chautauqua Lake LWRP integrates the Chautauqua Lake Harbor Management Plan (HMP) into LWRP in subsequent sections of Section II Inventory and Analysis and more

specifically as follows: Land Ownership, Public Access and Recreation, Infrastructure, Historical Resources, Topography and Geology, Water Quality, Protected Features, Natural Resources, Environmentally Sensitive Features, Fish and Wildlife, Tourism Resources, Scenic Views

c. Issues of Local Importance

It describes potentially conflicting water use issues that are reflected in the policies (Chapter 3) and that are components of the HMP: The overall policy direction of the LWRP is set forth in Section III, Policy 1: Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.

d. Issues of Regional Importance

According to the Inventory and Analysis developed for the LWRP, the economy of Chautauqua County is based on agriculture, tourism, and manufacturing, with the manufacturing sector experiencing a steady downward trend. The Chautauqua Lake communities, varying in size and economic vitality, have all been affected by this trend. According to the LWRP, as these communities enter the new century, many see tourism as the key to growth.

e. Opportunities and Objectives

Village of Celoron

- Create downtown revitalization plan to develop commercial area into a destination for tourist and county residents.
- Improve Lucille Ball Memorial Park.
- Develop vacant Celoron Amusement Park.
- Create a gateway for the community and waterfront along Dunham Avenue.

Town of Ellicott

- Develop abandoned rail line east of Bonita into a nature preserve area. The railroad bed crosses wetland tracts and connects to City of Jamestown.
- Link the City of Jamestown River Walk with wetland areas.
- Develop Burtis Bay Park. Complete components of master plan.
- Encourage development of winter activities related to the lake.

Village of Lakewood

- Complete Chautauqua Avenue area revitalization efforts. Improve signage and streetscape amenities. - \$1.8 million has been invested to date.
- Create public docking to allow visitors to access downtown and the Hartley Park area from the Lake.
- Create a park in the center of the downtown area as open space to enhance streetscape and provide pedestrian amenities.
- Enlarge the beach area for additional swimming capacity

- Create Crescent Overlook in Hartley Park to improve utilization.
- Upgrade Community Park to allow for uses that complement Hartley Park
- Implement walking tour program to encourage tourism.

Town of Busti

- Establish trails linking Vukote Park, the Wetland Preserve, Goose Creek Landing (Loomis property), and the Stoneman Industrial Park to enhance overall parks system.
- Create system of nature trails / boardwalks with markers in the Wetland Preserve.
- Create a canoe and kayak landing for Goose Creek on Loomis property.
- Purchase land on the Vukote canal or the lakeshore to provide lake access for town residents.
- Complete Vukote Park Master Plan.
- Add public amenities such as parking at Wetland Preserve.

Town of North Harmony

- Create Fishing Park at the Ball Creek outlet under the I-86 Bridge.
- Develop the Stow Property.
- Build a public dock at the Ferry area to encourage better utilization of the Stow area by boaters
- Acquire Tom's Point or a portion thereof
- Improve Stow commercial area with façade program and streetscape improvements.
- Enhance Ashville commercial area – Goose Creek connection, business clusters.
- Proximity to Dobbins Woods Preserve

Town of Chautauqua

- Encourage the DEC to provide public dockage and picnic tables to allow boaters to better utilize Pendergast Point boat launch. Dredge area in front of launch.
- Promote Chautauqua Institution tourism
- Seawall replacement project
- Lighting plan and implementation

Village of Mayville

- Develop trails to link the Lakeside Park area to the Rails-to-Trails system.
- Implement the Recreational Waterfront Plan.
- Complete Downtown Master Plan and link to Lake uses.
- Establish performing arts center / retail center to complement Chautauqua
- Institution efforts as indicated in Recreational Waterfront Plan.
- Work with private developer to encourage development in Lakeside Park area.

Town of Ellery

- Work with New York State and private developers to restore the Minturn
- Mansion into an historic lake museum and nature interpretive center.

- Work with New York State DEC to provide input on Cheney Farm property development. Projects may include hiking trails, farming museum, access to lake for public and acquisition of additional lands.
- Develop a bike path to connect Long Point State Park to Bemus Point.
- Maintain the scenic vista on the Cheney Farm.

Village of Bemus Point

- Create downtown revitalization plan to address aesthetic enhancements, streetscapes and signage.
- Encourage New York State DEC to upgrade boat launch area and parking with better landscaping and maintenance.
- Upgrade Bemus Point – Stow Ferry landing area breakwalls and pedestrian access.

f. Underwater Lands and Navigable Waters (See h, below)

g. Water dependent Uses

Policy 2 - Protect Chautauqua Lake's water-dependent uses and promote siting of new water-dependent uses in suitable locations.

h. Management of Underwater Lands and Navigable Waters

Section VI of the Chautauqua Lake LWRP identifies the Office of General Services as the administrator of State-owned underwater lands through Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.

Navigable waters on Chautauqua Lake are managed under the authority of the New York State Navigation Law. Section 30 of the Navigation Law places jurisdiction over navigable waters in the New York State Office of Parks, Recreation and Historic Preservation. Locally, XXX

i. Water Use Plan (See below for a list of policies that constitute the HMP Water Use Plan)

j. Policies concerning present and future use of the water use plan area

The Chautauqua Lake LWRP sets forth the water use policy of the participating communities in Section III, Policy 1: "The future of the Chautauqua Lake area will be influenced by the ability of the Chautauqua Lake communities to preserve open spaces and protect natural resources while enhancing and revitalizing the community assets that help to create the unique experience of visiting Chautauqua Lake. Tourism is the primary economic base for many of the lake communities such as Chautauqua, Ellery and Bemus Point... This policy is intended to foster a development pattern that provides for the beneficial use of the environmental, historical, and cultural resources of the Chautauqua Lake communities while maintaining and building on their traditional economic base. "

k. Capital Projects

Section IV, Proposed Land & Water Uses and Proposed Projects, lists the capital projects that have been identified by the Chautauqua Lake Communities as potential waterfront projects. They include:

Village of Celoron

- Repair Existing Breakwall
- Lucille Ball Park Improvements
- Development of Old Celoron Amusement Park Site
- Incorporate Trail Network from Celoron to Busti

Town of Ellicott

- Build Aluminum Dock at Burtis Bay Park
- Establish Small Boat Launch at Burtis Bay Park
- Clean Up of Lakeshore at Burtis Bay Park
- Create Trail between Celoron and Lakewood along Old Rail Line
- Work with Watershed Conservancy to Develop Trail System through Bonita Wetlands
- Upgrade Stormwater Systems to Minimize Nonpoint Pollutants

Village of Lakewood

- Improve Street Endings – Trees, Small Craft Launches, Design as Cycling and Walking Stops
- Conserve and Improve Stream Corridors
- Enlarge Beach at Hartley Park
- Install Public Dock at Hartley Park
- New Breakwall or Rip Rap at Hartley Park
- Improve Boat Launch at Community Park
- Incorporate Trail Network from Ellicott to Busti
- Upgrade Stormwater Systems to Minimize Nonpoint Pollutants

Town of Busti

- Acquire Lakefront Property at Vukote to Provide Lake Access
- Keep Canal Zone Open at Vukote
- Remove Debris from Goose Creek
- Develop Trail System that Links Wetland Preserve, Vukote Park, Goose Creek and Stoneman Industrial Park
- Establish Nature Trails / Boardwalks and Improve Wetland Park Area

Town of North Harmony

- Encourage Commercial Recreational Development Along Goose Creek in Ashville
- Create Trail along Goose Creek from Ashville to Creek Outlet
- Improve Ferry Launch Area
- Fishing Park

- Improve Stow Property
- Install Boat Launch and Public Dock at Tom's Point

Town of Chautauqua and Village of Mayville

- Develop Three Access Points at Street Endings within Town Of Chautauqua as Low Impact Access Points
- Improve NYS DEC Prendergast Point Launch Facility
- Complete Seawall along Lakeside Park
- Maintain and Replace Seawall along Chautauqua Institution
- Establish Lighthouse Pier in Accordance with Mayville Park Plan
- Tributary Management Study and Implementation
- Lake Bottom Gravel Deposits Removed at Tributary Outlets
- Town of Ellery and Village of Bemus Point
- Dredge Sediment Areas at Creek Deltas, Creek Outlets and Canal Outlets
- Develop Walking / Bike Trail between Downtown Bemus Point and Long Point State Park
- Restore Minturn Mansion to a Historic / Lake Interpretative Center and Museum
- Develop Streetscape Community Plan for Commercial Areas in Bemus Point
- Create Façade Improvement Program to Assist with Implementation of Streetscape Plan
- Develop New York State DEC Property (Cheney Farm):
 - Maintain Ferry Service and Ferry Area
 - Complete Town of Ellery Park
 - Acquire Lakefront between Italian Fisherman and Village Beach
 - Expand Parking Capacity

I. Techniques to Implement the Harbor Management Plan

The Chautauqua Lake LWRP, Section IV outlines the means for implementing the program:

Zoning Law

The four Villages and five Towns participating in the LWRP all have zoning ordinances. For each of the communities, the Zoning Code regulates land use under traditional zoning provisions. These traditional zoning provisions categorize land use by type (e.g. residential, commercial, industrial) into districts and allow for permitted uses and conditional uses. Conditional uses are permitted in zoning districts subject to specific circumstances.

LWRP Consistency Law

The LWRP Consistency Law requires that actions, which are directly undertaken, funded, or permitted by the municipality be consistent with the provisions of the LWRP, and will serve to implement all of the waterfront policies. Each participating Chautauqua Lake community, to ensure implementation of the LWRP, must adopt this law. A model local law is proposed in Appendix A. Additionally, a Waterfront Consistency Assessment Form should be adopted as part of the consistency law. The form should be

used by the enforcement organization to facilitate the consistency review. A standard consistency form is provided in Appendix B.

Intergovernmental Cooperation

Some of the proposed projects are located on or adjacent to lands owned and controlled by the New York State Department of Environmental Conservation (NYS DEC). Consequently, each municipality should maintain a relationship with the NYS DEC to promote the community's goals and understand the necessary permits for project development.

New York State

Some of the proposed LWRP projects, such as Stow's development plans or Prendergast Point's Improvements, are proposed on or adjacent to state owned lands. Consequently, in an effort to promote local revitalization of the Chautauqua Lake communities, the State should work in coordination with the Chautauqua Lake communities and private sector developers to promote the development of these projects.

Management Structure Necessary to Implement the LWRP

Administration of the LWRP should be integrated into the decision-making process for proposed projects and land use issues in each municipality. The board with the power to grant the discretionary approval of actions within each municipality should be given the duty of administering the LWRP. Responsibilities will include the review of the proposed actions, within the defined waterfront revitalization boundary, to assure their consistency with the LWRP. This local level of management is the base from which the LWRP can begin to be implemented.

Optional Lake Management Structures

The LWRP proposes a number of alternative structures for a management structure to address issues that are regional problems. The ultimate form has not yet been decided.

m. Additional Considerations

1. Conflict and Competition for Space

Water–Dependent Uses – Are activities which require a location in, on, over, or adjacent to the water because the activities require direct access to water and the use of water is an integral part of the activity.

Issues associated with conflict, and competition for space, are addressed in Section III, Policy 2 and standards: Protect Chautauqua Lake's water-dependent uses and promote siting of new water-dependent uses in suitable locations.

2 Structures

Section III, Policy 7.1 Minimize flooding damage in the Chautauqua Lake communities through the use of appropriate management measures, requires development structures to be located away from areas of known flooding, and prohibits principal structures that are intended for habitation to be located within 50 feet of the shoreline.

3. Regional Needs

The regional needs of the Chautauqua Lake communities are summarized in Section III, Policy 1: Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.

4. Additional Applications

i. commercial shipping is n/a

There are no major ports within the local waterfront. The State's Policy is assessed as not applicable to this LWRP. The following water-dependent commercial uses are located within the Waterfront Revitalization Area (WRA): The Summer Wind Cruise Boat; The Lakewood Yacht Club; The Bemus Point / Stow Ferry; The Chautauqua Belle Cruise Boat; Evergreen Outfitters; and The Casino Restaurant.

ii. recreational boating

The Chautauqua Lake LWRP identifies marinas and public launch facilities as appropriate water-dependent uses and recognizes the importance of recreational boating in Section III, Policy 2: Protect Chautauqua Lakes water-dependent uses and promote siting of new water-dependent uses in suitable

iii. commercial and recreational fishing and shellfishing

Chautauqua Lake supports an abundant and diverse warm water fish population with bass, walleye, muskellunge and perch being the predominate species. Although commercial fishing plays no role in the local economy, recreational fishing contributes greatly to the economy with both summer and winter fishing opportunities. The Chautauqua Lake LWRP protects this valuable resource in Section III, Policy 4, Promote the sustainable use of fish resources in Chautauqua Lake.

iv. aquaculture and mariculture is n/a

v. waste management

Section III, Policy 10: Minimize environmental degradation in the Chautauqua Lake communities from solid waste and hazardous substances and wastes and sets appropriate standards to implement the policy are found in Policy 10.1 Manage solid

waste to protect public health and control pollution; and, Policy 10.2 Manage hazardous waste to protect public health and control pollution.

vi. mineral extraction

Issues related to mineral extraction are treated in Section III, Policy 9.3: Ensure that mining, excavation, and dredging do not cause an increase in erosion, or an adverse effect on natural resources.

vii. dredging

The Chautauqua Lake LWRP recognizes the need for dredging in some locations and sets standards in Section III, Policy 9.3: Ensure that mining, excavation, and dredging do not cause an increase in erosion, or an adverse effect on natural resources.

viii. public access

Section III, Policy 11 sets forth a policy to provide for public access to, and recreational use of, waterfront, public lands, and public resources of the waterfront areas.

ix. recreation

Issues related to recreational use of the waterfront are treated in Policy 11: Provide for public access to, and recreational use of, waterfront, public lands, and public resources of the waterfront area.

x. habitats and natural resource protection

Although Chautauqua Lake does not have any designated Significant Coastal Fish and Wildlife Habitats, the New York State DEC Region 9 Office identified prime spawning and nursery habitat locations on Chautauqua Lake in their work included in the Supplemental Environmental Impact Statement (SEIS Policy 5.1 Protect fish habitats. Policy 5.2 Protect freshwater wetlands). The Chautauqua Lake LWRP addresses the issue in Section III, Policy 5: Protect ecological resources around Chautauqua Lake, including important fish habitats, wetlands, and rare ecological communities.

xi. water quality

Section III, Policy 6: Protect and improve water resources, sets policy standards to control direct and non-point discharges into the lake.

xii. open space

Section III, Policy 3 protects agricultural lands adjacent to the WRA. To further protect open space, Section III, Policy Standard 1.4 requires proposed development to be located on areas where adequate public infrastructure exists. Section III, Policy 6 sets

forth a policy to Protect ecological resources around Chautauqua Lake, including important fish habitats, wetlands, and rare ecological communities, and sets standards for its application.

xiii. aesthetic values

The issue of aesthetic values is treated in two separate policies. Scenic vistas are treated in Section III, Policy 12: Enhance visual quality and protect scenic resources throughout the Chautauqua Lake communities. Historic resources are treated in Section III, Policy 13: Preserve historic resources of the waterfront area of Chautauqua Lake.

xiv. water dependent uses see policy 2

xv. common law riparian or littoral rights

Section II, Inventory and Analysis notes that the vast majority of land in the WRA is privately owned. Policy 11, which calls for adequate public access to the waters of Chautauqua Lake, recognizes that private ownership places limitations on the general public. This policy sets standards determining when public access to a site is appropriate.

xvi. public interest under the Public Trust Doctrine

Land underwater in Chautauqua Lake (except where previously granted) is held in trust by the State of New York. The public interest in these lands is treated in Section III, Policy Standard 3.2, which sets forth the requirement that public trust lands under water must be accessible to the public.

Appendix D Land Form

