

SECTION III. LOCAL POLICIES AND APPLICABLE
STATE POLICIES

DEVELOPMENT

POLICY 1 - RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.

Policy 1A - Encourage the redevelopment and adaptive reuse of the former Sulphite Mill for industrial and storage uses.

Policy 1B - Develop the underutilized village-owned parcels on the larger Fish Island and the point of land west of NY Route 180 for water dependent recreational uses.

Policy 1C - Encourage the rehabilitation and stabilization of deteriorated and underutilized commercial properties along William Street while providing support facilities (such as off-street parking) on adjoining vacant village-owned property.

Policy 1D - Encourage the rehabilitation and expansion of hydroelectric generation and related storage facilities on the smaller Fish Island.

Explanation of Policy. Revitalization of the waterfront area is vital to Dexter's strategy for economic development. The actions of governmental agencies can further the objectives of this policy. The transfer and purchase of property; the construction of new buildings, roads or parks; the provision of tax incentives to businesses; and establishment of foreign trade zones are examples of governmental means for spurring waterfront revitalization. When any such action, or similar action is proposed, it must be analyzed to determine if the action would contribute to or adversely affect a waterfront revitalization effort.

Revitalization of once dynamic waterfront areas is one of the most effective means of encouraging economic growth in the State, without consuming valuable open space outside of these waterfront areas and/or fragile coastal areas. Uses requiring a location on the shoreline must be given priority in any development effort. Revitalization efforts will conform to the other policies of this program for the protection and beneficial use of significant waterfront resources.

Approximately one-half of Dexter's coastal area is vacant and classified as "underutilized or deteriorated." A full three-quarters of the land thus classified is owned by the village. Activities relating to State Policy 1 and Local Policies 1A

through 1D will concentrate on those underutilized and/or deteriorated areas identified in Section II - Inventory and Analysis and illustrated on Plate III - "Land Use Conditions." Such areas include: portions of the two Fish Islands, properties along William Street; the point of land abutting the NY Route 180 bridge, and the site of the former Sulphite Mill. (See Policies 2, 20 and 21 and Section IV - Proposed Uses and Projects for additional description of the proposed uses of these sites.)

The village is committed to increasing the use of these sites in a manner that encourages economic growth, creates local employment opportunities and furthers the State's salmonid sport fisheries program. As this revitalization effort progresses, stabilization of surrounding "important but threatened areas" will be facilitated.

The following guidelines are to be used in assessing proposed public and private actions affecting the revitalization of the waterfront:

1. When a government agency action is proposed to take place in the Dexter waterfront area regarded as suitable for development, the following will apply:
 - a) Priority should be given to uses which are dependent on a location adjacent to the water;
 - b) The action should enhance existing and anticipated uses;
 - c) The action should serve as a catalyst to private investment in the area;
 - d) The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration;
 - e) The action must lead to development which is compatible with the character of the area, with consideration given to scale; architectural style, density, and intensity of use;
 - f) The action should have the potential to improve the existing economic base of the community and, at a minimum, must not jeopardize this base;
 - g) The action should improve adjacent and upland views of the water and, at a minimum, must not affect these views in an insensitive manner;
 - h) The action should have the potential to improve the potential for multiple uses of the site.
2. If a government agency action is proposed to take place outside of a deteriorated or underutilized waterfront area suitable for redevelopment and is either within the village or an adjacent coastal community, the agency proposing the action must first

determine if it is feasible to take the action within the deteriorated or underutilized waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

POLICY 2 - FACILITATE THE SITING OF WATER DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

Policy 2A - Develop water-dependent recreational uses on publicly owned lands on the larger Fish Islands and the point of land to the west of NY Route 180.

Policy 2B - Encourage the expansion of hydroelectric generation facilities on holdings of the Hydro Development Group, Inc. on both Fish Islands and east of NY Route 180.

Policy 2C - Retain, as necessary, publicly owned land at the site of the former Sulphite Mill for future development of water-dependent and water-enhanced uses.

Explanation of Policy. There is a finite amount of waterfront space suitable for development purposes. Although demand for a specific piece of property will vary with economic and social conditions on both a village-wide and state-wide basis, long-term expectations are for increased demand for waterfront property.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to coastal waters. To ensure that such "water-dependent" uses can continue to be accommodated within the village, government agencies will avoid undertaking, funding, or approving non-water dependent uses when such uses would preempt the reasonably foreseeable development of water-dependent uses; furthermore government agencies will utilize appropriate existing programs to encourage water-dependent activities.

The following uses and facilities are considered as water dependent:

1. Uses which depend on the utilization of resources found in coastal waters (for example: fishing);
2. Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wild-life viewing);
3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short- and long-term storage facilities);

4. Structures needed for navigational purposes (for example: dams and lighthouses);
5. Flood and erosion protection structures (for example: breakwaters, bulkheads);
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants);
8. Scientific/educational activities which, by their nature, require access to coastal waters (for example: water resource nature centers); and
9. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water-dependent uses they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. A water-enhanced use is defined as a use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront.

Various water-dependent uses are designated for several waterfront sites, described in more detail in Section II - "Inventory and Analysis" and shown on Plate XII - "Land Use Conditions." Water-dependent recreational uses will be developed on the northern portion of the larger Fish Islands and the point of land west of NY Route 180. Expansion of existing hydroelectric generation and related facilities will be encouraged on the vacant properties of the Hydro Development Group, Inc. on both Fish Islands and east of NY Route 180. As future demand warrants, water-dependent and water-enhanced industrial uses will be given priority access to appropriate locations within the former Sulphite Mill property. Water-dependent and water-enhanced recreational uses are also possible and acceptable uses for appropriate portions of the Sulphite Mill property. (See Policies 1, 2, 20 and 21 and Section IV - Proposed Uses and Projects for additional description of the proposed uses of these sites.)

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following guidelines should be used.

1. Competition for space -- competition for space or the potential for it, should be indicated before any given site is promoted for water-dependent uses. The intent is to match water-dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water-dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water-dependent activities or else the encouragement of water-dependent development.

2. In-place facilities and services -- most water-dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:

- a) The availability of public sewers, public water lines and adequate power supply;
- b) Access to the area for trucks and rail, if heavy industry is to be accommodated; and,
- c) Access to public transportation, if a high number of person trips to be generated.

3. Access to navigational channels -- if commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within a sheltered harbor, from which access to adequately sized navigation channels would be assured.

4. Compatibility with adjacent uses and the protection of other coastal resources -- water-dependent uses should be located so that they enhance, or at least do not detract from, the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas from odors, noise and traffic. Affirmative approaches should also be employed so that water-dependent uses and adjacent uses can serve to complement one another. For example, a recreation-oriented water-dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn be enhanced by, nearby restaurants, motels and other non-water oriented tourist activities. Water-dependent uses must also be sited so as to avoid adverse impacts on the significant coastal resources.

5. Preference to underutilized sites -- the promotion of water-dependent uses should serve to foster development as a result of the capital programming, permit expediting, and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the State's waterfront areas which are currently underutilized.

6. Providing for expansion -- a primary objective of the policy is to create a process by which water-dependent uses can be accommodated well into the future. State agencies and localities should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

In promoting water-dependent uses the following kinds of actions should be considered:

-- Favored treatment to water-dependent use areas with respect to capital programming. Particular priority should be given to the construction and maintenance of port facilities, roads, railroad facilities, and public transportation within areas suitable for water-dependent uses.

-- When areas suitable for water-dependent uses are publicly owned, favored leasing arrangements should be given to water-dependent uses.

-- Where possible, consideration should be given to providing water-dependent uses with property tax abatements, loan guarantees, or loans at below market rates.

-- State and local planning and economic development agencies should actively promote water-dependent uses. In addition, a list of sites available for non-water-dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects.

-- Local, State and Federal agencies should work together to streamline permitting procedures that may be burdensome to water-dependent uses. This effort should begin for specific uses in a particular area.

POLICY 3 - FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY, AND ENCOURAGE THE SITING, IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO, OR IN SUPPORT OF, THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE.

Not Applicable. The Village of Dexter is not a major port of New York State.

POLICY 4 - STRENGTHEN THE ECONOMIC BASE OF SMALLER HARBOR AREAS BY ENCOURAGING THE DEVELOPMENT AND ENHANCEMENT OF THOSE TRADITIONAL USES AND ACTIVITIES WHICH HAVE PROVIDED SUCH AREAS WITH THEIR UNIQUE MARITIME IDENTITY.

Not Applicable. Although Dexter is located on the Black River, physical constraints and its distance from Lake Ontario preclude its consideration as a small harbor.

POLICY 5 - ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.

Policy 5A - *The village will maintain, and where necessary improve those public services and infrastructure that serve the village core area and the former Sulphite Mill to assure their continued availability to meet existing and future needs.*

Policy 5B - *Encourage the development of uses which have little or no potential to generate a demand on public services and infrastructure in those waterfront areas where existing services are limited and/or non-existing.*

Explanation of Policy. By their construction, taxing, funding and regulatory powers, the local, State and Federal governments have become dominant forces in shaping the course of development. In addition, the Village of Dexter has direct control over the future development of the large portions of its waterfront area that it currently owns. Through these government actions, development in the waterfront area will be encouraged to locate within, contiguous to, or in close proximity to existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

Although Dexter is a rural village, public services and infrastructure are generally adequate throughout the village for current and future development needs. Future developments which will place a demand on existing infrastructure (sewer, water and road network) and public services (primarily parking) will be concentrated in those waterfront areas where existing services are currently available or readily accommodated. Preferred areas for such development are the village core area and the site of the former Sulphite Mill.

Those uses which will place little or no demand on existing public services and infrastructure will be encouraged to locate in those waterfront areas where such services are limited or non-existent. Such uses include water-dependent recreational facilities and storage facilities, and residential infill development that can be accommodated by individual on-site services.

For any action that would result in large scale development or an action which would facilitate or serve future development, determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate. The following guidelines shall be used in making that determination.

1. Cities, built-up suburban towns and villages, and rural villages in the coastal area are generally areas of concentrated development where infrastructure and public services are adequate.

2. Other locations in the coastal area may also be suitable for development, if three or more of the following conditions prevail:

- a) Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
- b) Proposed site is served by or is near to public or private sewer and water lines;
- c) Public transportation service is available within one mile of the proposed site; and,
- d) A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.

3. The following points shall be considered in assessing the adequacy of an area's infrastructure and public services:

- a) Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;
- b) Development's water needs (consumptive and fire fighting) can be met by the existing water supply system;
- c) Sewage disposal system and solid waste facilities can accommodate the wastes generated by the development;
- d) Energy needs of the proposed land development can be accommodated by existing utility systems;
- e) Stormwater runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and,
- f) Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development.

It is recognized that certain forms of development may and/or should occur at locations which are not within or near areas of concentrated development. Thus, this coastal development policy does not apply to the following types of development projects and activities.

-- Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.

-- Development which by its nature is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home developments.

-- Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.

-- Water-dependent uses with site requirements not compatible with this policy or when alternative sites are not available.

-- Development which because of its isolated location and small-scale has little or no potential to generate and/or encourage further land development.

-- Uses and/or activities which because of public safety consideration should be located away from populous areas.

-- Rehabilitation or restoration of existing structures and facilities.

-- Development projects which are essential to the construction and/or operation of the above uses and activities.

In those areas of the Dexter waterfront where development is encouraged by these policies, the condition of existing public water and sewage infrastructure and other services may necessitate improvements. Those local, State and Federal agencies charged with allocating funds for investments in public services and water and sewer facilities should give high priority to the needs of such areas so that full advantage may be taken of the rich array of their other infrastructure components in promoting waterfront revitalization.

POLICY 6 - NOT INCLUDED IN THE LOCAL PROGRAM.

FISH AND WILDLIFE POLICIES

POLICY 7 - SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS IDENTIFIED ON THE COASTAL AREA MAP, WILL BE PROTECTED, PRESERVED AND WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

Explanation of Policy. Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. Land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of an area designated a significant coastal fish and wildlife habitat. When the action significantly reduced a vital resource (e.g., food, shelter, living space) or changes environmental conditions (e.g., temperature, substrate) beyond the tolerance range of an organism, then the action would be considered to "significantly impair" the habitat. Indicators of a significantly impaired habitat may include: reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality. (This policy is included in the LWRP in anticipation of the designation of a habitat of state-wide significance.)

The range of generic activities most likely to affect significant coastal fish and wildlife habitats include but are not limited to the following:

1. Draining wetlands, ponds: Cause changes in vegetation, or changes in groundwater and surface water hydrology.

2. Filling wetlands, shallow areas of streams, lakes, bays, estuaries: May change physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology).

3. Grading land: Results in vegetation removal, increased surface runoff, or increase soil erosion and downstream sedimentation.

4. Clear cutting: May cause loss of vegetative cover, increase fluctuations in amount of surface runoff, or increase streambed scouring, soil erosion, sediment deposition.

5. Dredging or excavation: May cause change in substrate composition, possible release of contaminants otherwise stored in sediments, removal of aquatic vegetation, or change circulation patterns and sediment transport mechanisms.

6. Dredge spoil disposal: May include shoaling of littoral areas, or change circulation patterns.

7. Physical alteration of shore areas through channelization or construction of shore structures: May change in volume and rate of flow or increased scouring, sedimentation.

8. Introduction, storage or disposal of pollutants such as chemical, petrochemical, solid wastes, nuclear wastes, toxic material pesticide, sewage effluent, urban and rural runoff, leachate of hazardous and toxic substances stored in landfills: May cause increased mortality or sublethal effects on organisms, alter their reproductive capabilities, or reduce their value as food organisms.

The range of physical, biological and chemical parameters which should be considered include but are not limited to the following:

-- Physical parameters such as: Living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates.

-- Biological parameters such as: Community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, behavioral patterns, and migratory patterns.

-- Chemical parameters such as: Dissolved oxygen, carbon dioxide, ph, dissolved solids, nutrients organics, salinity, pollutants (heavy metals, toxic and hazardous materials).

When a proposed action is likely to alter any of the biological, physical or chemical parameters as described in the narrative beyond the tolerance range of the organisms occupying the habitat, the viability of that habitat has been significantly impaired or destroyed. Such action, therefore, would be inconsistent with the above policy.

POLICY 8 - PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIO-ACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

Explanation of Policy. Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (S27-0901(3)) as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infestious characteristics may: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or otherwise managed." A list of hazardous wastes (NYCRR Part 366) has been adopted by DEC; however, new regulations (6 NYCRR Part 371) will soon supersede Part 366 .

The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the State's coastal fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes, generated from point and non-point sources, and not identified as hazardous wastes but controlled through other State laws.

POLICY 9 - EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS, AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

Explanation of Policy. Recreational uses of coastal fish and wildlife resources increase consumptive uses such as fishing and hunting, and non-consumptive uses such as wildlife photography, bird watching and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in marine and freshwater coastal areas and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include biology of the species, carrying capacity of the resource, public demand, costs and available technology.

The Dexter area of the Black River is endowed with exceptional fishing resources - particularly due to the recent stocking of salmonids and abundant wildlife in nearby Black River Bay. Demand for access to these resources has increased greatly in the last few years. The Village of Dexter will continue to cooperate with government agencies to expand recreational use of these resources while ensuring their protection.

The village's cooperative efforts with DEC, the Office of Parks, Recreation and Historic Preservation and other public and private groups involve the development of public access to, and recreational use of the Black River and its related fish and wildlife resources. Key waterfront parcels which are targeted for such development include: the larger of the two Fish Islands, the point of land west of the NY Route 180 bridge and expansion of the existing facilities to the south of Liberty Street.

The following should be considered by local, State and Federal agencies as they determine the consistency of their proposed action with the above policy.

1. Consideration should be made by local, State and Federal agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.

4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

POLICY 10 - FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY ENCOURAGING THE CONSTRUCTION OF NEW, OR IMPROVEMENT OF EXISTING ON-SHORE COMMERCIAL FISHING FACILITIES, INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS, MAINTAINING ADEQUATE STOCKS AND EXPANDING AQUACULTURE FACILITIES.

Not Applicable. There are no commercial fishing activities on the Black River and little potential exists for developing such facilities.

FLOODING AND EROSION HAZARDS POLICIES

POLICY 11 - BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIVES CAUSED BY FLOODING AND EROSION.

POLICY 11A - *Upland, non-Coastal Erosion Hazard Areas, particularly where slopes are greater than 15%, shall be subject to controls which minimize erosion, siltation, and resultant water quality problems.*

Explanation of Policy. Flooding: Areas of special flood hazard were identified and mapped in Dexter by the Federal Insurance Administration and are subject to village flood control regulations. In such areas identified, no use will be permitted that is in violation of local flood control regulations and mobile homes will only be permitted in existing mobile home parks.

Erosion: NYS Department of Environmental Conservation (DEC) is required by Section 34-0104 of Article 34, Environmental Conservation Law, to identify Coastal Erosion Hazard Areas (CEHA's). This survey has not been finalized by DEC for the Dexter area. However, due to its relative "inland" setting near the confluence of Black River with Black River Bay, it is unlikely that the Dexter coastal area will have CEHA's warranting the adoption of CEHA regulations at any level of government.

For uplands, non-CEHA's where development on steep slopes could result in erosion and water pollution (specifically, west of the old sulphite mill), sedimentation controls will be required. Such controls include retaining walls and temporary coverage of bare soil with straw mulch. In addition, building codes, subdivision codes, and septic tank/sewer regulations will be enforced to present other types of runoff or damage.

POLICY 12 - ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLANDS AND BLUFFS.

Not Applicable. See explanation of Policy 11.

POLICY 13 - THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY YEARS AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.

Not Applicable. See Policy 11 for explanation.

POLICY 14 - ACTIVITIES AND DEVELOPMENT INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT, OR AT OTHER LOCATIONS.

Not Applicable. See Policy 11 for explanation.

POLICY 15 - MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.

Not Applicable. No beaches or evidence of erosion have been identified in the Dexter coastal area.

POLICY 16 - PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION, OR EXISTING DEVELOPMENT; AND ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

Not Applicable. See Policy 11 for explanation.

POLICY 17 - WHENEVER POSSIBLE, USE NONSTRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE:

- (i) THE SET BACK OF BUILDINGS AND STRUCTURES;
- (ii) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FENCING AND DRAINING;
- (iii) THE RESHAPING OF BLUFFS; AND
- (iv) THE FLOOD PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.

Explanation of Policy. Flooding: This policy recognizes both the potential adverse impacts of flooding upon development and upon natural protective features in the coastal area as well as the costs of protection against those hazards which structural measures entail.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

In determining whether or not non-structural measures to protect against flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

"Non-structural measures" within identified flood hazard areas shall include, but not be limited to: (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation above the base flood level.

Erosion: See Policy 11A.

GENERAL POLICY

POLICY 18 - TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

Explanation of Policy. Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the

achievement of the purposes of the safeguards which the State has established to protect those waters and resources. Proposed actions must take into account the social, economic and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation, and recreation.

PUBLIC ACCESS POLICIES

POLICY 19 - PROTECT, MAINTAIN AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

Policy 19A - Develop, protect and maintain pedestrian access to public water-related recreational uses and facilities at the point of land west of NY Route 180 and the larger Fish Island.

Policy 19B - Develop, protect and maintain vehicular access to public water-related recreational uses and facilities at the point of land west of NY Route 180 and the larger Fish Island.

Policy 19C - Increase and maintain waterborne access to the upper and lower reaches of the Black River afforded by the existing lower boat launch facility and publicly owned foreshore at the point of land west of NY Route 180 and on the larger Fish Island.

Explanation of Policy. This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. The Local Waterfront Revitalization Program will encourage mixed use areas and multiple use of facilities to improve access.

The particular water-related recreation resources and facilities which will receive priority for improved access in Dexter's waterfront are fishing areas, boating facilities and passive/active recreational parks. To optimize the use of these resources, the village must facilitate alternative modes of access, including pedestrian, vehicular and waterborne.

In order to provide access to the point of land west of NY Route 180, the village has constructed a walking bridge spanning the culvert between the parking lot on Water Street and the recreational facilities on the point. The Canal Street Bridge, linking the village core to the larger Fish Islands, provides for both

vehicular and pedestrian access. Both bridges will require protection and maintenance to ensure continued access. Walking paths, parking facilities and service/emergency roads will have to be constructed on the larger Fish Island to accommodate the on-site needs of fishermen, boaters, picnickers and spectators. Maintenance of the facilities is likewise essential to ensure continued access. The village is presently negotiating with the Hydro Development Group, Inc. for additional parking and public access on the firm's holdings along the southern portion of this island.

The unique location of the Village of Dexter at the last drop in level of the Black River provides opportunities for access to the river both above and below the dams. An existing boat launch facility south of Liberty Street has a dual launch and dockage to accommodate several small boats. Additional dockage has been constructed at the point of land to the west of NY Route 180. A second launching facility will be constructed on the northeastern portion of the larger Fish Island to provide access to the upper reaches of the river.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access.

The following is an explanation of the terms used in the above guidelines:

- a) Access - the ability and right of the public to reach and use public coastal lands and waters.
- b) Public water-related recreation resources or facilities - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.
- c) Public lands or facilities - lands or facilities held by State or local government in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.
- d) A reduction in the existing level of public access - includes but is not limited to the following:

- (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
 - (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting systemwide objectives.
 - (3) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (4) There are increases in the following: already existing special fares of public transportation to a public water-related recreation resource or facility; and/or admission fees to such a resource or facility, and an analysis shows that such increases will significantly reduce usage by individuals or families with incomes below the State government established poverty level.
- e) An elimination of the possibility of increasing public access in the future includes, but is not limited to the following:
- (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
 - (2) Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility.
 - (3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.

2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:

- a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
- b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

3. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

4. In their plans and programs for increasing public access to public water-related resources and facilities, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation. Dexter falls into the last category.

POLICY 20 - ACCESS TO THE PUBLICLY OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY OWNED SHALL BE PROVIDED, AND IT SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

Policy 20A - Maintain, protect and increase public access to village owned foreshore on the larger Fish Island, at the point of land west of NY Route 180 and at the existing boat launch facility south of Liberty Street to meet existing demands for access to the resources of the Black River.

Policy 20B - Retain in public ownership and provide access to lands at the former Sulphite Mill site and along William Street to meet future demand for additional public access and support facilities when public access would be compatible with nearby industrial, commercial and/or recreational uses.

Explanation of Policy. In view of the extensive village land holdings along the shoreline, the village will undertake to maintain and improve public access to these lands while providing for industrial, commercial and hydroelectric development. There are several areas of foreshore which will receive priority for public access within the Local Waterfront Revitalization Program. These include the entire northern portion of the larger Fish Island, the point of land abutting the west side of the NY Route 180 bridge, and the existing village boat launch and parking area south of Liberty Street.

Public access will be provided to public lands along the foreshore of the former Sulphite Mill property as future demand warrants. Inland portions of this property will provide for the expansion of industrial uses. Where future industrial development also needs access to the foreshore, full consideration will be given to public access as a multiple use. The village owned parcel on William Street will be developed for additional off-street parking and limited shoreline access in support of and compatible with residential and commercial land uses.

While such publicly-owned lands referenced shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile coastal resources.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional or statewide public benefit, or in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above guidelines:

- a) (See definitions under first policy of "access", and "public lands or facilities").
- b) A reduction in the existing level of public access - includes but is not limited to the following:
 - (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (2) Pedestrian access is diminished or blocked completely by public or private development.
- c) An elimination of the possibility of increasing public access in the future - includes but is not limited to, the following:
 - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
 - (2) Sale, lease, or other conveyance of public lands that could provide public access to public coastal lands and/or waters.
 - (3) Construction of private facilities which physically prevent the provision of convenient public access to public coastal lands and/or waters from public lands and facilities.

2. The existing level of public access within public coastal lands or waters shall be reduced or eliminated.

- a) A reduction in the existing level of public access - includes but is not limited to the following:
 - (1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (2) Access is reduced or blocked completely by any public developments.

3. Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources; (b) adequate access exists within one-half mile; or (c) agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

4. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation. Dexter falls into the last category.

6. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:

- a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
- b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource coastal lands. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

RECREATION POLICIES

POLICY 21 - WATER DEPENDENT AND WATER ENHANCED RECREATION SHALL BE ENCOURAGED AND FACILITATED AND SHALL BE GIVEN PRIORITY OVER NONWATER RELATED USES ALONG THE COAST, PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

Policy 21A - Develop and maintain village facilities for recreational use and enjoyment of the Black River -- both above and below the dams at Dexter -- while providing necessary transportation, parking, safety, and sanitary services for such uses.

Explanation of Policy. Water-related recreation includes such obviously water-dependent activities as boating and fishing as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of coastal scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-coastal dependent uses, including non-water-related recreation uses. In addition, water-dependent recreation uses shall have a higher priority over water enhanced recreation uses. Determining a priority among coastal dependent uses will require a case by case analysis.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Over the past few years, Dexter has experienced increased demand for access to its waterfront on the Black River for recreational boating, hunting, and fishing. This is partially due to the improved water quality in the river and DEC's salmonid stocking program. Since part of Dexter's future economic growth depends on the quantity and quality of its water based recreational facilities, the village will give priority to water dependent and water enhanced recreational development, provided it is consistent with other Waterfront Revitalization Program policies.

Priority areas for increasing public water-related recreation facilities are the point of land west of NY Route 180 and the northern portion of the larger Fish Island. Additional parking for users of recreational facilities and access for shoreline fishing are also planned for the southern portion of the larger Fish Island on part of the property of the Hydro Development Group, Inc. The village proposes to obtain use of these privately held lands through easement, lease arrangements or similar measures negotiated with the Hydro Development Group, Inc. (See Section IV - Proposed Uses and Projects for more detailed description of these proposed projects.)

Recreational development of these areas can be readily supported by new or existing public services whereas the development of other uses would be severely restricted by man-made and natural limitations (see Section II - Development Considerations).

Among the types of water-dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this program. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pumpout facilities. In developing the recreational use of and access to waterfront resources, special attention must be given to the protection of private property rights in addition to the usual concerns for public health and safety. This is particularly important in Dexter due to the increasingly heavy influx of fishermen and spectators during the Fall and Spring as salmon make their spawning runs up the Black River. Thus, while providing for safe boating, fishing and viewing of the salmon fishing activities (to the extent of acceptable risks), measures must also be taken to avoid or mitigate potential short-term impacts from traffic congestion, heavy demand for parking, trespass, vandalism, litter and noise. Sanitation measures must ensure the adequacy of restroom facilities and proper disposal of fish remains.

Also to be encouraged is non-motorized recreation in the coastal area. Water-related off-road recreational vehicle use is an acceptable activity, provided no adverse environmental impacts occur. Where adverse environmental impacts will occur, mitigating measures will be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced.

POLICY 22 - DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, SHALL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.

Explanation of Policy. Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore, they should to the fullest extent permitted by existing law provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen. In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreational facilities.

Prior to taking action relative to any development, government agencies should consult with the village to determine appropriate recreation uses. The agency should provide the village with the opportunity to participate in project planning.

Appropriate recreation uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost.

POLICY 23 - PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES OR THE NATION.

Explanation of Policy. Among the most valuable of the State's man-made resources are those structures on areas which are of historic, archeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must include active efforts when appropriate to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship.

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas or sites. A significant adverse change includes but is not limited to:

(a) Alteration of or addition to one or more of the architectural, structural ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entry ways and doors; fenestration; lighting fixtures; roofing, sculpture and carving; steps; rails; fencing; windows; vents and other openings; grillwork; signs; canopies; and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)

(b) Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archeological resource or component thereof, to include all those features described in (a) above plus any other appurtenant fixture associated with a building structure or earthwork.

(c) All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural or archeological resource and all actions within an historic district that would be incompatible with the objective or preserving the quality and integrity of the resource. Primary considerations to be used in making judgement about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural, or archeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts this would include infrastructure improvements or changes, such as, street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, or component thereof of a recognized

historic, cultural or archaeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archaeological resource which does not involve a significant adverse change to the resource, as defined above.

The Village of Dexter contains a limited number of historic resources of local significance. As described in Section II - "Inventory and Analysis," these are the former village jail on Locke Street, the former Mattison Hotel on William Street, and potential archaeological sites in a few undisturbed areas of the waterfront. Since the identified historic structures are potential State or National Register listings, federal and State laws require that agency actions already affecting these properties shall be subject to review and comment by the State Historic Preservation Officer. Likewise, SEQR and local SEQR regulations require State and local agencies to determine the impact of their actions on historic or archaeological resources. These agencies should contact the NYS Division for Historic Preservation (DHP) for advice on the significance of historic resources or to determine the need for an archaeological survey. DHP can recommend ways of reducing any adverse impacts on historic resources.

SCENIC QUALITY POLICIES

POLICY 24 - PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE, AS IDENTIFIED ON THE COASTAL AREA MAP. IMPAIRMENT SHALL INCLUDE:

- (i) THE IRREVERSIBLE MODIFICATION OF GEOLOGICAL FORMS, THE DESTRUCTION OR REMOVAL OF VEGETATION, THE DESTRUCTION OR REMOVAL OF STRUCTURES, WHEREVER THE GEOLOGIC FORMS, VEGETATION OR STRUCTURES ARE SIGNIFICANT TO THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE; AND
- (ii) THE ADDITION OF STRUCTURES WHICH BECAUSE OF SITING OR SCALE WILL REDUCE IDENTIFIED VIEWS OR WHICH BECAUSE OF SCALE, FORM, OR MATERIALS WILL DIMINISH THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE.

Not Applicable. No scenic resources of statewide significance were identified in the Dexter coastal area.

POLICY 25 - PROTECT, RESTORE OR ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.

Explanation of Policy. When considering a proposed action, agencies shall undertake to ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the coastal area.

Activities which could impair or further degrade scenic quality include modification of natural landforms, removal of vegetation, and the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource. The effects of these activities would not be considered as serious for the general coastal area as for significant statewide scenic areas.

As identified in SECTION II, INVENTORY AND ANALYSIS, the following important scenic vistas are found in the Dexter waterfront. Fish Islands provide a splendid view of the river above the dams as well as interesting perspectives of the hydroelectric facilities. The point of land adjoining the NY Route 180 bridge and the village boat launch afford the viewer scenic vistas downstream. From the NY Route 180 bridge a panoramic view of the entire waterfront, with the village as backdrop, shows Dexter's relationship to the Black River. Revitalization programs in Dexter's waterfront will take advantage of these resources with an aim to enhance, protect, and preserve Dexter's scenic character.

The following siting and facility-related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly. Guidelines include:

1. siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;
2. clustering or orienting structures to retain views, save open space and provide visual organization to a development;
3. incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
4. removing deteriorated and/or degrading elements;
5. maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;

6. maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of coastal waters;

7. using appropriate materials, in addition to vegetation, to screen unattractive elements;

8. using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

AGRICULTURAL LANDS POLICY

POLICY 26 - TO CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE'S COASTAL AREA, AN ACTION SHALL NOT RESULT IN A LOSS, NOR IMPAIR THE PRODUCTIVITY, OF IMPORTANT AGRICULTURAL LANDS, AS IDENTIFIED ON THE COASTAL AREA MAP, IF THAT LOSS OR IMPAIRMENT WOULD ADVERSELY AFFECT THE VIABILITY OF AGRICULTURE IN AN AGRICULTURAL DISTRICT OR IF THERE IS NO AGRICULTURAL DISTRICT, IN THE AREA SURROUNDING SUCH LANDS.

Not applicable. There are no agricultural lands in the Dexter coastal area.

POLICY 27 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 28 - ICE MANAGEMENT PRACTICES SHALL NOT INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER, DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, OR INCREASE SHORELINE EROSION OR FLOODING.

Explanation of Policy. Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydroelectric power, fish and wildlife and their habitats as will be identified in the Coastal Area Maps, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

POLICY 29 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 30 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 31 - STATE COASTAL AREA POLICIES AND MANAGEMENT OBJECTIVES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.

Explanation of Policy. The State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State coastal management policies shall be factored into the review process for coastal waters. However, such considerations shall not affect any water pollution control requirement established by the State pursuant to the Federal Clean Water Act.

A major purpose of the policies of the Dexter Waterfront Revitalization Program is to encourage and increase the recreational use of the Black River, particularly recreational fishing. At a minimum, the current C classification of the Black River must be maintained to achieve this purpose.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting." Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," and all new waste discharges must receive "best practicable treatment." However, along stream segments classified as "water quality limiting," waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development.

POLICY 32 - ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES WHERE THE COSTS OF CONVENTIONAL FACILITIES ARE UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING TAX BASE OF THESE COMMUNITIES.

Explanation of Policy. Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These types of systems are often more cost effective in smaller less densely populated communities and for which conventional facilities are too expensive.

Dexter's municipal sewer system adequately serves most of the coastal area with the exception of Fish Islands and a few dwellings in the southwesterly portion of the village along Maynard Avenue. Alternative sanitary waste systems will be pursued in these areas.

POLICY 33 - BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

Explanation of Policy. Best management practices include both structural and nonstructural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, nonstructural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

POLICY 34 - DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS FROM VESSELS SUBJECT TO STATE JURISDICTION INTO COASTAL WATERS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.

Explanation of Policy. The discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated. Priority will be given to the enforcement of this Law in areas such as shellfish beds and other significant habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the Department of Environmental Conservation (6 NYCRR, Part 657).

POLICY 35 - DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.

Explanation of Policy. Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging projects, however,

may adversely affect water quality, fish and wildlife habitats, wetlands and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25 and 34), and are consistent with the policies of this program.

POLICY 36 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 37 - BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.

Explanation of Policy. For erosion and water pollution concerns, see Policy 11A. The only other non-point discharge problem identified in Dexter is that of fish carcasses from the recreational fishing along the waterfront. The village is submitting applications to DEC and the U.S. Department of Housing and Urban Development for design and funding of one or more fish cleaning stations.

POLICY 38 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 39 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 40 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 41 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 42 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 43 - NOT INCLUDED IN THE LOCAL PROGRAM.

POLICY 44 - NOT INCLUDED IN THE LOCAL PROGRAM.

Prioritization of Dexter LWRP Policies

<u>Priority</u>	<u>Policy</u>	<u>Policy Number</u>
1	Deteriorated and Underutilized Waterfront Areas	1
2	Recreational Use of Fish and Wildlife	9
3	{ Increase Types of Public Access	19
	{ Access to Publicly Owned Foreshore	20
	{ Water Dependent Uses (Recreation)	21
	{ Development and Water Related Recreation	22
4	Water Dependent Uses	2
5	Concentration of Development	5
6	Scenic Quality	25
7	{ Alternative and Innovative Sanitary Waste Treatment Systems	32
	{ Best Management Practices for Storm Water Runoff & Sewage Overflow	33
8	Vital Social, Economic and Environmental Interests	18
9	Dredging & Dredge Spoil Disposal	35