

## SECTION V - TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

To achieve the objectives embodied in the policies, uses and projects which form the core of its Local Waterfront Revitalization Program, the Village of Dexter has identified a finite set of essential techniques and actions which are needed to ensure program implementation. Such techniques and actions are grouped under the following major categories:

- . Local Laws and Regulations
- . Other Public and Private Actions
- . Management Structure
- . Financial Resources
- . Summary Chart of Actions Implementing Local Policies

### LOCAL LAWS AND REGULATIONS

Existing Local Laws and Regulations. A few local regulations have been adopted by the village to govern new development. Though Dexter lacks land use and zoning laws, the recently adopted local SEQR provisions, the Flood Damage Control Law, and village adoption of the NYS Uniform Fire Prevention and Building Code provide some measure of control over new development.

(1) The Flood Damage Control Law enforces the LWRP by establishing development controls for the Flood Hazard Areas noted in Section II -- Inventory and Analysis. These controls support floodplain management policies included in Section III -- Policy.

(2) The local SEQR law is patterned after the "Model Local SEQR Law" in The SEQR Handbook (NYS Department of Environmental Conservation, Division of Regulatory Affairs, 1982 edition). This law gives the village the power to review all new land use and development activities which might have adverse impacts on the waterfront area or the implementation of the LWRP. The law establishes a Waterfront Revitalization Advisory Committee which reviews the environmental significance of proposed actions in the waterfront area. Actions which conflict with the LWRP's coastal policies are designated Type I, requiring an environmental assessment review. The local SEQR law is therefore designed to ensure that all proposed actions affecting Dexter's waterfront are carefully examined in relation to both the State Environmental Quality Review Act and the State and local coastal policies identified in the LWRP.

(3) The village recently adopted the NYS Uniform Fire Prevention and Building Code, which requires permits and inspections for new structures as well as additions or alterations to existing buildings. Through this permit process, the village can review private and public developments for consistency with the

development and revitalization policies of the LWRP. It should be noted that a local building inspector has been hired to enforce the code.

Proposed Local Laws and Regulations. In view of the extent to which the Village of Dexter controls the waterfront through outright public ownership, local officials see little need for land use regulations to implement the Local Waterfront Revitalization Program. Those few remaining areas of the waterfront under private ownership are generally subject to physical constraints or other levels of governmental regulation, where the village's regulations are lacking. These constraints and regulatory provisions are noted below:

Steeply rising topography, limited road access, and poor soil suitability limit all future development in the privately owned areas west of the village's holdings south of Lakeview Drive. Since the further installation of sewers would not be economically feasible here, only a limited intensity land use, such as low density residential infill, is practical. The ability of private owners to receive approval from DEC or DOH for conventional septic systems in this area will be further limited by the poorly suited soils.

The restricted access to the holdings of the Hydro Development Group, Inc. and the firm's highly specialized physical plant substantially assure the continuance of that use as a water-dependent use within the waterfront. Only diseconomies in hydroelectric power generation by small plants around the State in general would be likely to jeopardize this use.

Finally, existing uses in the village core area have traditionally consisted of small businesses serving a limited local market. New demand for commercial services in the core (from fishermen and spectators) is expected to increase but is unlikely to attract new businesses. Rather, existing establishments are likely to meet such demand through increased retailing and minor structural expansion. The seasonality of the salmonid sport fishery is thus viewed as a stabilizing factor for local businesses and not as a growth or development catalyst.

Approval of individual sewage disposal systems by the NYS Department of Environmental Conservation (or by the NYS Department of Health in the case of subdivisions) makes local regulations of such systems unnecessary. When added to the physical constraints on the private lands in the southwestern portion of Dexter's waterfront, this control of septic waste disposal dictates that only limited residential development can occur there.

FERC (Federal Energy Regulatory Commission) regulations likewise control the extent and operation of the hydroelectric facility. The Hydro Development Group, Inc. property is largely isolated and insulated from other development pressures due to its confinement (on the southern end of both Fish Islands and on a precipitous parcel between the village core and the river) and its being entirely surrounded by village-owned property.

#### OTHER PUBLIC AND PRIVATE ACTIONS

Local Government Actions. Village actions deemed necessary to implement the LWRP are as follows:

a. Deed Restrictions and/or Restrictive Covenants.

- (1) In the future, village officials may deem the public interest best served by selling, trading or otherwise conveying to private ownership some of the extensive village-owned property located in the waterfront. Such land disposition would undoubtedly be viewed by the local government as fostering additional local tax revenues by returning unproductive land to the assessment rolls and encouraging private development.

Actions to remove waterfront property from public ownership would necessarily require prior assessment to determine environmental significance pursuant to SEQRA and the local SEQR law noted earlier. As part of the assessment, the village would be obligated to determine the consistency of such actions with the policies, uses and projects of the approved LWRP -- and not accordingly.

However, in view of the village's lack of basic land use controls, the consistency of private actions using or developing the land conveyed by the village would remain in doubt. Therefore, the village will place a restriction or require a covenant in the deed for any village-owned property proposed to be transferred from village to private ownership. The deed restriction or restrictive covenant will, in effect, limit the use of the transferred property to those land uses, developments and/or activities

which are consistent to the maximum extent practicable with the policies of the approved LWRP. In that the deed restrictions or restrictive covenants would be enforceable through civil action, the village will be able to ensure by litigation that subsequent private actions involving waterfront property formerly owned by the village will also implement the LWRP. The LWRP compliance review process (described earlier in this section) will provide the means of deciding on the need for litigation of inconsistent actions and documenting the inconsistency for court proceedings.

b. Coordination with Certain State Agencies.

- (1) In order to carry out a broad array of policies, uses and projects in its waterfront, the village will establish and/or maintain a significant level of state-local coordination with the Department of Environmental Conservation, the Office of Parks, Recreation and Historic Preservation, the Department of State, the Department of Commerce and the St. Lawrence-Eastern Ontario Commission. Various degrees of coordination have already been initiated over the last several years. However, new initiatives to coordinate will begin following the completion of the next LWRP component, SECTION 6 - FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION. For the specific purpose of implementing proposed waterfront uses and projects, the coordinating efforts must persist at an intensive level over a period of at least another three years.
- (2) Coordination efforts will increase mutual awareness and cooperation between the village and these state agencies with regard to the day-to-day implementation of the LWRP at the local level. Such coordination will also help to open and maintain channels or linkages with a number of federal agencies with programs operated or administered through or in conjunction with these particular state agencies. The development of Fish Island for public access and recreation is a good example of the need for this type of local action. The local initiatives of Dexter residents cannot bring about full development of the island's proposed facilities. The technical expertise and financial assistance of DEC, OPRHP, DOS and SLEOC must meld with Dexter's noted volunteerism and limited capital to carry out that project and, thereby, advance DEC and OPRHP efforts to stimulate regional economic benefits through improved public access to the State's sport fishery.

c. Coordination with Adjoining Communities and Local Organizations.

- (1) Although consultation with other federal, state, regional and local agencies is required during the preparation of the LWRP, coordination will continue beyond the program's development in order to assure implementation. Assistance from the Town of Brownville and cooperation from the Town of Hounsfield and the Village of Sackets Harbor will be needed to manage impacts from the growing sport fishery. Cooperation with the Dexter Area Chamber of Commerce, the Greater Watertown Chamber of Commerce, the Thousand Islands International Council, the Jefferson County Sport Fishery Advisory Council, the Jefferson County Industrial Development Agency, and others are vital to carrying out waterfront projects and furthering the LWRP's policies.
- (2) Local coordination will assist in pooling local resources and maintaining momentum throughout the implementation stages.

d. Creation of a Local Waterfront Revitalization Advisory Committee.

- (1) The LWRP Advisory Committee, informally established to guide the program during its preparation, will be given a continuing role during program implementation through the proposed local SEQR law.
- (2) The diverse local representation of business, industry, community organizations and other residents which characterizes the present committee would provide an excellent basis for continuing local public/private cooperation and coordinating local project initiatives as well as providing for reviews of actions affecting the waterfront or the LWRP.

e. Grantsmanship.

- (1) Existing grant development and administration activities will be continued with increased attention focused on the waterfront.
- (2) While certain waterfront projects can be implemented largely through local initiatives because of the considerable level of volunteer efforts, other projects will require major funding sources through federal, state and area agencies. The "incubator building" and Fish Islands are foremost in projects requiring successful grantsmanship.

f. Project Implementation Activities. The following specific actions will be necessary to undertake and complete projects included in SECTION IV - PROPOSED USES AND PROJECTS:

(1) Lower Boat Launch Facilities and Riverside Park:

- (a) preparation of detailed landscaping plans for both sites with emphasis on buffering adjoining land uses from activities at these sites and enhancing the visual amenities of this portion of the shoreline
- (b) application to DEC/Corps of Engineers for permits to dredge the Black River along the toes of the boat launch ramps and within the small cove next to Riverside Park
- (c) application to HUD for Small Cities funding to undertake the landscaping, dredging, fish cleaning station, and lighting work
- (d) coordination with SLEOC, OPRHP, DEC, Corps of Engineers, HUD, and local volunteer organizations concerning the design, engineering, permits, funding and actual site work.

(2) Village Core Area Revitalization:

- (a) research for and design of a commercial rehabilitation program to provide subsidies and/or low interest loans for facade and structural improvements to deteriorated commercial structures (including apartments) within the core area
- (b) application for Small Cities funding to create a revolving loan fund and a subsidy fund to operate the rehabilitation program
- (c) establishment of a program administrator function to promote and administer the program
- (d) coordination with HUD, SBA and area lending institutions to assure proper interface between federal funding, operation of the rehabilitation program and private financing
- (e) application for funding through the NYS Division of Housing and Community Renewal for a Rural Area Revitalization Program (RARP) grant to improve the "Village Barn"
- (f) budgeting of village revenues for additional Village Barn improvements, landscaping of village property within the core area, and restriping William, Water and Locke Streets for parking and pedestrian crosswalks
- (g) coordination with the Hydro Development Group, Inc. for general debris removal, site cleanup and landscaping of the firm's shoreline holdings.

- (3) Fish Island Public Access and Recreation Improvements:
- (a) preliminary engineering work for specific development components including: grading plans (for parking facilities, access road, spectator area and pedestrian paths), design for sanitary facilities, a fish cleaning station, pavilion, and lighting specifications
  - (b) preparation of detailed landscaping plans for the island
  - (c) application for Small Cities funding to undertake the project
  - (d) negotiation of a public access easement (or lease) to allow the village legal authority to provide public parking on and fishing access from the Hydro Development Group, Inc. property
  - (e) coordination with SLEOC, OPRHP, DEC, Corps of Engineers, local volunteer organizations and the Hydro Development Group, Inc. during the actual development of the Fish Islands Improvements. An ECL Article 15 (Protection of Waters) permit will be needed from DEC.
- (4) "Incubator Building":
- (a) engineering, design and funding have already been completed for this project
  - (b) current work remaining includes the preparation of detailed landscaping, parking and traffic circulation plans (tailored to new occupants of the structure) with emphasis on enhancing the visual amenities of the waterfront
  - (c) coordination with the Jefferson County Industrial Development Agency, the Economic Development Administration and private firms seeking to lease space in the facility will be necessary during construction (currently underway).

Private Actions. In view of the extent of waterfront ownership by the village, only limited private action has been identified as necessary for LWRP implementation.

- a. Installation of a Fish Ladder by the Hydro Development Group, Inc.
- (1) The Hydroelectric firm is required, by stipulations in its operating permit from DEC, to install a fish ladder to allow the passage of salmonids above the middle dam located between the two Fish Islands.

- (2) The required fish ladder will extend the salmonid sport fishery upstream on the Black River above Dexter. Development of the Fish Island public access and recreation facilities is thus largely predicated upon the fish ladder.
- b. Private Investment in Commercial Rehabilitation in the Village Core.
- (1) With a rehabilitation loan/subsidy program operated by the village, facade and structural improvements in this area will be leveraged to the extent individual property owners can be induced to reinvest private capital in their buildings.
- (2) Such private investment will assure a level of waterfront revitalization in the core area that will stabilize the structures, increase individual and collective business activity and perpetuate needed local commercial services.

#### MANAGEMENT STRUCTURE

##### Lead Agency.

- a. Village Board of Trustees.
- b. Principal Local Official (for LWRP management and coordination). Mayor.

##### Specific Responsibilities.

- a. Mayor. Provision of overall LWRP supervision and management and intergovernmental coordination on LWRP policy.
- b. Trustees. Execution of assigned categorical responsibilities (under direction of Mayor) for aspects such as infrastructure capacity, coordination with volunteer groups and local government cooperation.
- c. Community Development Coordinator. Grantsmanship and grant administration for comprehensive LWRP project funding; staff coordinator for Waterfront Revitalization Advisory Committee.
- d. Village Building Inspector. Enforces the NYS Uniform Fire Prevention and Building Code; reviews development proposals for Mayor and Trustees regarding compatibility with LWRP policies and SEQR.
- e. Waterfront Revitalization Advisory Committee. Provision of advice and assistance to the Village Board of Trustees in:

- (1) Review of projects and uses for compliance with the LWRP.
  - (2) Strengthening public/private sector cooperation during program implementation and providing an independent source of input/feedback to the Village Board on prioritizing waterfront projects and LWRP activities.
- f. Superintendent of Public Works. Assigned responsibilities in operation and maintenance of public waterfront projects, uses and activities.
  - g. Village Clerk/Treasurer. Local communication and fiscal responsibilities working closely with Mayor, Community Development Coordinator and Superintendent of Public Works.

Compliance Procedures. Each proposed action to directly undertake, fund, permit or otherwise approve a given public or private project, use or activity within or directly affecting the Local Waterfront Area (LWA) of Dexter will be reviewed for compliance with the LWRP pursuant to the provisions of the local SEQR law previously noted. The specific compliance procedures would be as follows:

- a. Initial Review. The Building Inspector (or Village Clerk):
  - (1) Advises each applicant, when a building permit application is involved, and each board, department, office, other body or officer whether a proposed action is subject to the provisions of SEQR and the local SEQR law.
  - (2) Determines whether a proposed Type I or Unlisted Action is contemplated within the Local Waterfront Area (LWA).
  - (3) Provides applicants, boards, departments, offices, other bodies or officers with Environmental Assessment Forms (EAF's) and Coastal Assessment Forms (CAF's).
- b. Local Waterfront Revitalization Program (LWRP) Review.
  - (1) For proposed Type I or Unlisted Actions located within the LWA, each completed EAF with accompanying CAF and each completed Draft EIS is referred to the Waterfront Revitalization Advisory Committee.
  - (2) Within thirty (30) days, the Waterfront Revitalization Committee reviews the proposed action in relation to the LWA and the village's LWRP and provides the lead agency with the Committee's recommendations addressing potentially significant impacts on the LWA; consistency with the LWRP; alternative actions

which would avoid potential environmental impacts and ensure consistency; and measures, if any, to mitigate such impacts and improve consistency.

- c. Determination of Significance. The lead agency, within fifteen (15) days of receiving all information required, including the recommendations of the Waterfront Revitalization Advisory Committee, determines the environmental significance of the proposed action.
- d. EIS Preparation. When the lead agency determines that the proposed action may involve significant adverse impacts on the environment, it will follow SEQR procedures governing public notice of such determination, preparation of a Draft EIS, public notice, and public hearing on the Draft EIS and so on.

Review Procedures for Federal and State Consistency. Local review of federal and state actions for consistency with the LWRP will follow procedures paralleling those in Compliance Procedures b. above whereby the Waterfront Revitalization Advisory Committee reviews the proposed action in relation to the LWRP and, in this case, recommends to the Village Board. The Village Board will advise the Department of State, if it identifies any conflicts between the proposed action and the Waterfront Revitalization Program. Furthermore, the Mayor, the Chairperson of the Local Waterfront Revitalization Advisory Committee and the Community Development Coordinator (or Village Clerk) will participate with representatives from the involved federal or state agency and from the Department of State to resolve any identified conflicts between the proposed action and the village's LWRP.

FINANCIAL RESOURCES.

Proposed Projects.

- a. Lower Boat Launch Facilities.

Total Project Cost		24,000
Expended to Date		
. Village General Fund	4,500	
. Contributions/Donations	1,500	
. Volunteer Labor	6,500	
	<u>12,500</u>	-12,500
Balance of Funding Needed (landscaping, dredging, fish cleaning station, and lighting)		<u>11,500</u>
Funding Sources		
. CDBG Small Cities	10,500	
. Volunteer Labor	1,000	
	<u>11,500</u>	-11,500
		-0-
Funding Availability (see b. below)		

b. Riverside Park.

Total Project Cost		31,000
Expended to Date		
. Village General Fund	4,000	
. Contributions/Donations	2,000	
. Volunteer Labor	2,000	
. SBA (Jobs Bill)	15,000	
	<u>23,000</u>	<u>-23,000</u>
Balance of Funding Needed (landscaping and dredging)		8,000
Funding Sources		
. CDBG Small Cities	8,000	- 8,000
		<u>-0-</u>

Funding Availability. The Village of Dexter has taken substantial initiatives in funding and obtaining contributions, donations and voluntary labor to undertake public access and recreation improvements for both the lower boat launch facilities and Riverside Park. With the exception of bringing additional volunteer labor to bear on the lower boat launch facilities, no further village revenues can be committed or justified (to local taxpayers) to support the DEC sports fishery on the Black River below the dams. CDBG Small Cities funding will be sought to complete these projects. If unsuccessful in obtaining such funds from HUD, the village hopes to qualify for part of the "set aside" for communities under 2,500, assuming the program is passed from the federal level to DOS. If unsuccessful along this avenue, the village would consider seeking the funds through a Land and Water Conservation Fund matching grant, but only if a survey of village taxpayers indicated support and if the revenues could be found in the village's general fund to provide the match.

c. Village Core.

Total Project Cost		137,000
Expended to Date		<u>-0-</u>
Balance of Funding Needed		137,000
Funding Sources		
. Village General Fund -- village barn	17,000	
. DHCR (RARP)	40,000	
. Volunteer Labor	5,000	
. CDBG Small Cities -- commercial rehabilitation	50,000	
. Private commercial rehabilitation	25,000	
	<u>137,000</u>	<u>-137,000</u>
		<u>-0-</u>

Funding Availability

- . Village -- the village has committed to provide \$17,000 in cash or in kind towards rehabilitation of the village barn (DPW).
- . DHCR (RARP) -- the village has submitted an application for \$40,000 from the Division of Housing and Community Renewal for Rural Area Revitalization Program funding to rehabilitate the village barn.
- . Volunteer Labor -- through the various local organizations, volunteer labor can be expected to easily equal or exceed \$5,000 in general community streetscape and rehabilitation improvements for the village core area.
- . CDBG Small Cities -- funding for a commercial rehabilitation program would be requested in the same application package as noted above for the lower boat launch facilities and Riverside Park, assuming assistance through the DOS "set aside" if not directly from HUD.

d. Fish Island.

Total Project Cost		533,500
Expended to Date		
. Volunteer Labor	5,000	
. Private (Hydro Dev. Group)	20,000	
	<u>25,000</u>	<u>-25,000</u>
Balance of Funding Needed		508,500
Funding Sources		
. Village General Fund	3,500	
. Volunteer Labor	5,000	
. Small Cities CDBG	135,000	
. Private (Hydro Dev. Group)	365,000	
	<u>508,500</u>	<u>-508,500</u>
		-0-

Funding Availability

- . Village General Fund -- the village can commit and justify another \$3,500 from village revenues for improvements on Fish Island.
- . Volunteer Labor -- based on past experience, about \$5,000 worth of volunteer labor can be predicted.
- . Small Cities CDBG -- an application for funding with the Jobs Bill monies has already been submitted to HUD.
- . Private -- the expenditure by the Hydro Development Group, Inc. is predicted since the firm's license to operate the hydroelectric facility stipulates construction of a fish ladder. Costs for the ladder could exceed estimates provided herein by \$100,000 to \$150,000.

e. "Incubator Building."

Total Project Cost		1,380,000	
Expended to Date		<u>-0-</u>	
Balance of Funding Needed			1,380,000
Funding Sources			
. EDA Public Works Grant	480,000		
. Small Cities CDBG	500,000		
. JCIDA* (Loan)	400,000		
	<u>1,380,000</u>	<u>-1,380,000</u>	<u>-0-</u>

\*Jefferson County Industrial Development Agency

Funding Availability -- funding from each of the sources identified above has been approved and the project is under construction.

Other Public and Private Implementation Actions.

- a. Financial resources for carrying out all other public implementation actions involve either the village general fund for existing employees and administrative costs or a portion of DOS (DECR) Rural Preservation Companies Program funds (currently \$31,900.00 for the period 6/1/83-5/31/84) for the Community Development Coordinator position (existing). Building code enforcement funds come from DOS, Office of Fire Prevention and Control.
- b. Private sector financial resources will rely principally on the banking system for improvement loans.

LWRP Management. Financial resources for managing the LWRP coincide with those identified in a. above.

SUMMARY CHART OF ACTIONS IMPLEMENTING LOCAL POLICIES

<u>Policy</u>	<u>Implemented or Enforced by</u>
1, 1A-D	Five major projects/LWRP review process/Waterfront Revitalization Advisory Committee
2, 2A-C	Four out of five major projects/LWRP review process/village ownership/Waterfront Revitalization Advisory Committee
3	(not applicable)
4	(not applicable)
5, 5A-B	LWRP review process/village approval of sewer and water laterals/DEC or DOH approval of individual septic systems/Waterfront Revitalization Advisory Committee
6	(not included in the LWRP)
7	Coordination with DEC, OPRHP, DOS and SLEOC/LWRP review process/SEQR
8	Coordination with DEC, OPRHP, DOS and SLEOC/LWRP review process/SEQR
9	Three out of five major projects/village ownership/coordination with DEC, OPRHP, DOS and SLEOC/LWRP review process
10	(not applicable)
11, 11A	Flood Control Law/village ownership/public access and recreation projects with few structures (non-habitable and not subject to significant flood damage)/LWRP review process/Waterfront Revitalization Advisory Committee, Building Inspector's enforcement of building code.
12	(not applicable)
13	"
14	"
15	"
16	"
17	Flood Control Law/village ownership/nonstructural public access and recreation uses near Flood Hazard Areas/LWRP review process

Policy

Implemented or Enforced by

- 18 Five major projects/village ownership/LWRP review process/SEQR/Waterfront Revitalization Advisory Committee
- 19,  
19A-C Three major projects/village ownership/LWRP review process/coordination with DEC, OPRHP, DOS and SLEOC/Waterfront Revitalization Advisory Committee .
- 20,  
20A-C Three major projects/village ownership/LWRP review process/coordination with DEC, OPRHP, DOS and SLEOC/Waterfront Revitalization Advisory Committee
- 21,  
21A Three major projects/village ownership/LWRP review process/coordination with DEC, OPRHP, DOS and SLEOC/Waterfront Revitalization Advisory Committee
- 22 Three major projects/village ownership/LWRP review process/coordination with DEC, OPRHP, DOS and SLEOC/Waterfront Revitalization Advisory Committee/private action by Hydro Development Group, Inc.
- 23 Village ownership/LWRP review process/SEQR/Waterfront Revitalization Advisory Committee/coordination with OPRHP, Division for Historic Preservation
- 24 (not applicable)
- 25,  
25A Five major waterfront projects/coordination with DEC, OPRHP, DOS and SLEOC/coordination with adjoining communities and local organizations/private commercial rehabilitation/LWRP review process/SEQR/Waterfront Revitalization Advisory Committee
- 26 (not applicable)
- 27 (not included in LWRP)
- 28 Village ownership/LWRP review process/SEQR/Waterfront Revitalization Advisory Committee
- 29 (not included in LWRP)
- 30 (not included in LWRP)
- 31 Coordination with DEC/LWRP review process/SEQR/Waterfront Revitalization Advisory Committee

<u>Policy</u>	<u>Implemented or Enforced by</u>
32	Coordination with DEC/LWRP review process
33	Coordination with DEC/LWRP review process/SEQR
34	Coordination with DEC, COE, OPRHP, DOS and SLEOC/LWRP review process/SEQR
35	Coordination with DEC, COE, OPRHP, DOS and SLEOC/LWRP review process/SEQR
36	(not included in LWRP)
37	Five projects plus village ownership cover most of the waterfront/coordination with DEC/LWRP review process/SEQR/village submission of grant applications to DEC and U.S. Dept. of HUD
38	(not included in LWRP)
39	"
40	"
41	"
42	"
43	"
44	"

All applicable policies are implemented by the local SEQR law wherein the provisions of SEQR are carried out at the local level in conjunction with the LWRP review process, the Waterfront Revitalization Advisory Committee, and the building permit application process.