

SECTION III COASTAL MANAGEMENT POLICIES

A. Developed Coast Policies

Policy 1.

Foster a pattern of development along the Dobbs Ferry waterfront and downtown areas that enhances community character, preserves open space, makes improved and efficient use of infrastructure, makes beneficial use of the waterfront, and minimizes adverse effects of development.

Explanation of Policy:

Policy 1 is intended to foster a Dobbs Ferry development pattern that provides for beneficial use of the waterfront and downtown area resources. The objective of the LWRP is to set forth a comprehensive plan that will further the intent of Policy 1.0. At the same time, the LWRP will assure the protection and beneficial use of our waterfront area resources and preserve the essential character of Dobbs Ferry as a historic Hudson River community.

There are proposals for continuing development along waterfront parcels and elsewhere. There are also a number of significant waterfront parcels in Dobbs Ferry that could conceivably be the subject of future development interest. While development can be a very positive force, it is not inevitably so. It is very much in the Village's interest that it assert a measure of control over the nature and extent of desirable development, rather than to leave the initiative in the hands of private interests.

Applicability to Dobbs Ferry:

The primary components of the desired development pattern for Dobbs Ferry's Downtown and General Waterfront Area are reuse of existing, architecturally significant building stock and historic sites as centers of recreation, residential, and commercial activity. Where new construction is in order, it should be consistent in scale and character with what is there already.

Since Dobbs Ferry was first settled, the community character of Dobbs Ferry has been defined by a pattern of development with a strong visual and physical relationship to the Hudson River - in residential and downtown areas as much as, if not more than, the waterfront areas. As Dobbs Ferry engages in this long-term planning process, priority should be given to land uses that encourage and enhance this rich relationship.

The long-standing planning goal for the waterfront and downtown areas has been to reclaim and rehabilitate them. This program calls for revitalization of downtown Dobbs Ferry through economic redevelopment, increased recreational opportunities, and establishment of community-oriented social activities and the facilities to accommodate them. In addition, Dobbs Ferry is seeking to find creative

ways to attract residents and visitors to the downtown and offer a more diverse mix of wares and services.

Sub-policies and policy standards relating to Policy 1 include the following:

Policy 1.1

Concentrate development and redevelopment in order to revitalize deteriorated and under-utilized waterfront and downtown areas and strengthen the waterfront focus of the Village of Dobbs Ferry.

Explanation of Policy:

The overall intent of this policy is to integrate land use components that highlight existing resources, such as local history and important natural and man-made features, to reinforce community identity. The Waterfront and the Downtown Areas should be linked by newly designed connections and should each have a focus that complements the other and draws from the community. Development and redevelopment should make use of existing infrastructure where possible and should be limited to areas with no environmental constraints, minimizing consumption of waterfront lands and maximizing recreational and economic opportunities. Some principles that follow from the policy:

- Enhance and draw attention to the natural and historic importance of the General Waterfront and Downtown Areas.
- Strengthen the economic viability of the traditional downtown areas.
- Develop related recreational and commercial opportunities in the waterfront and downtown areas to encourage movement between the two areas.
- Encourage land uses appropriate to the General Waterfront Area, including mixed commercial and recreational uses.
- Match land uses to local and regional community needs to avoid unnecessary duplication and to preserve community character.
- Accommodate new waterfront uses in an orderly manner and foster safe, convenient waterfront access at strategic locations, linked by streets, sidewalks, a Riverwalk system, and other modes of access.
- Increase educational and interpretive use of the area around the Hudson River.

Applicability to Dobbs Ferry:

The revitalization of deteriorated, abandoned, or poorly utilized sites within the General Waterfront and Downtown Areas is a means of improving the appearance and economic and recreational vitality of these areas. Deteriorated, abandoned, or under-utilized sites are identified in Section II (Inventory and Analysis) of this LWRP. In particular, portions of the 145 Palisade property on the west side of the

railroad tracks, the auto bridge across the tracks at 145 Palisade, and the Village DPW property on Cedar Street adjacent to 145 Palisade are identified as deteriorated and poorly used. These properties have great potential for adaptive reuse and redevelopment for commercial and recreational purposes that contribute to waterfront and downtown revitalization efforts. The Village DPW property, which will soon be available for redevelopment, offers great potential for much needed public recreational facilities or possible redevelopment in conjunction with redevelopment of the underutilized portion of the 145 Palisade property along the street.

Dobbs Ferry will foster a pattern of development that will strengthen the Village's waterfront focus and integrate waterfront areas with the local downtown and other communities by:

- Providing physical linkages between the Waterfront and Downtown Areas and other areas of Dobbs Ferry as well as other communities.
- Providing access to the waterfront area from the surrounding community where feasible.

Policy 1.2

Ensure that development or uses make beneficial use of their proximity to the waterfront.

Explanation of Policy:

There is a finite amount of waterfront space in the Hudson Valley suitable for development purposes. Therefore, it is reasonable to expect that demand for waterfront land along Hudson River will intensify over time. Simply allowing market forces to determine the future, long-term use of this valuable resource does not ensure an attractive or a publicly accessible waterfront. In fact, it would likely work against such a desired result. This policy seeks to provide a measure of control for future waterfront land uses in Dobbs Ferry by devoting these lands to uses that are water-dependent or water-enhanced.

Inappropriate zoning can undermine efforts to ensure beneficial waterfront development. When zoning does not foster a cohesive and appropriate pattern of development, it can allow valuable waterfront lands to be lost to inappropriate uses that detract from their connection to the waterfront. The policy standards listed below provide guidelines for ensuring appropriate waterfront development in the LWRP project area. Prior to listing the guidelines, however, several key terms should be defined. These are as follows:

‘Water-dependent uses’ are defined by the State of New York as “activities that require a location in, on, over, or adjacent to the water because the activities require direct access, and the use of water is an integral part of the activity.”

‘Water-enhanced uses’ are defined as “activities that do not require a location on or adjacent to the water to function, but whose location on the waterfront could add to public enjoyment and use of the water’s edge, if properly designed and sited. Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature.”

Policy guidelines include:

- Development occurring adjacent to the shore of Hudson River will favor water- dependent or water-enhanced uses.
- Encourage economic development activity that will enhance the waterfront experience and protect existing water-dependent uses.
- Locate new development where infrastructure is adequate or can be upgraded to accommodate new demand without adverse impacts on waterfront resources.
- Increase the number and variety of water-enhanced and water-dependent uses and give water-dependent development precedence over other types of development along Hudson River.
- Discourage new waterfront development projects that require the use of waterfront resources for parking facilities.
- Encourage private development projects to include low impact public waterfront access initiatives.
- Prohibit uses on the waterfront that are not compatible with this overall program. A use should be avoided on the waterfront if it:
 - Results in unnecessary and avoidable loss of coastal resources or access to coastal resources, and ignores the coastal setting through inappropriate design or orientation,
 - Does not, by its nature, derive benefit from a waterfront location, or
 - Inappropriately restricts public access.

Applicability to Dobbs Ferry:

The Dobbs Ferry waterfront should be an extension of the Downtown. These guidelines, therefore, will apply to any development or redevelopment in the Waterfront/Shoreline Area as well as the Downtown Area. Future development in these areas shall be undertaken in a manner that is compatible with the overall "village character" of the community.

This policy, however, primarily affects two private parcels in the waterfront area: the Chart House parcel and the portion of 145 Palisade Street west of the tracks. The 145 Palisade parcel is a large waterfront area with bulkhead that historically was served as a deepwater dock. This parcel also contains a sandy beach area adjacent to the mouth of Wickers Creek, and a small forested area. Among the important considerations regarding the redevelopment of 145 Palisades (on the east and west sides of the tracks) is that existing views of the Hudson should be permanently preserved and redevelopment plans should include the provision for public access to the waterfront.

The other privately owned parcel in the Waterfront/Shoreline Area is the Chart House Restaurant and parking lot, south of Waterfront Park, where the potential for future redevelopment also deserves attention. Any future use of this site should be compatible with the adjacent public parklands and have

some relationship to the waterfront whether it be water-dependent or water-enhanced, as defined above, and must include provision of public access to the waterfront.

There are two large institutional parcels along the waterfront – Mercy College in the northern portion of the Village and St. Christopher’s School and Cabrini Nursing Home in the south – that are also subject to these waterfront guidelines to ensure that any future development of these parcels will make appropriate and beneficial use of their proximity to the waterfront.

Policy 1.3

Maintain and enhance Dobbs Ferry's natural areas, recreation, and open space lands.

Explanation of Policy:

Well maintained natural areas -- parks, shorelines, small and large wooded and open areas, steep slopes, rivers and streams-- enhance community character and aesthetic quality of the natural and manmade environments. Dobbs Ferry's natural areas, on the waterfront and throughout the Village, benefit the physical environment and the physical and psychological health of the community. Any potential adverse impacts of proposed development to physical environments should be addressed and mitigated. Land use planning requirements and development guidelines should reflect attention to site characteristics by limiting the disturbance of steep slopes, wetlands, wooded areas, and water resources. The requirements and guidelines should foster visual compatibility of the development with surrounding areas.

Specific policy guidelines regarding maintenance and enhancement of open spaces and natural areas are as follows:

- Avoid, or minimize the loss of environmental and aesthetic values of important recreation, open space, and natural areas of the Hudson River.
- Avoid, or minimize the loss of open space, natural areas, wetlands and wildlife habitat while attempting to accommodate the recreational needs of the community.
- Encourage appropriate, low impact uses that take into consideration the local natural features such as geology, topography, and wildlife habitat.
- Improve infrastructure and implement protective measures to prevent erosion and stormwater runoff into the Hudson River and its tributaries.
- When evaluating proposed new developments, ensure that natural areas are preserved to the maximum extent possible, e.g. preserve native species, large individual trees, stands of large trees, unique forest cover types and habitats whenever possible.
- Protect existing parklands and provide additional public recreational opportunities along Hudson River and carefully consider the implications of expanding infrastructure that might accelerate conversion of open spaces or natural areas to other uses.

Applicability to Dobbs Ferry:

It is desirable to achieve and maintain a better balance of natural areas and developed areas in Dobbs Ferry. Many natural areas throughout the Village are shrinking because of development and poor maintenance. Much of the natural area that graced the shores of the Dobbs Ferry waterfront during the past century has been lost to industrial, commercial and residential development. The most recent loss of natural area to development was a large wooded area of Mount Mercy property, just north of the mouth of Wickers Creek, in the early 1990s. The Village's remaining natural areas, including waterfront, wetlands, wooded and sloped areas, and the Wickers Creek and Saw Mill River corridors, should be protected and enhanced to mitigate the impact of development activity in the surrounding areas. Steep slopes along Wickers Creek should be stabilized to protect from further erosion.

The recreational open space at Waterfront Park affords magnificent river views and a unique riverfront experience. Any structures or facilities and related infrastructure that may be added as part of park improvements should be carefully sited and sized to minimize the loss of views and recreational space. New additions to the park should provide enhancement of open park land as well as natural areas.

Policy 1.4

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

Explanation of Policy:

To enhance community character and maintain the quality of the natural and manmade environments of the Hudson River, Saw Mill River, and Wickers Creek shoreline areas, potential adverse impacts of proposed development on existing development, the natural environment and the economy will be addressed and mitigated.

Cumulative and secondary adverse impacts from development and redevelopment should be minimized. Cumulative impacts are the result of the incremental or increased impact of repetitive actions or activities when added to other past, present, or future actions or activities. Secondary impacts are those that are foreseeable, but occur at a later time or at a greater distance from the action, and are caused or facilitated by an action or activity, whether directly or indirectly.

Application to Dobbs Ferry:

Potential adverse environmental impacts on existing development in Dobbs Ferry should be minimized as follows:

- Utilize the State Environmental Quality Review Act (SEQRA) process to its fullest extent in the review of projects under Village jurisdiction. SEQRA provides an important means whereby the local community can assess all potential significant environmental impacts of a proposed development. Local, state, and federal review of major actions proposed in the Hudson River

waterfront areas should take into account the economic, social, and environmental interests of Village residents.

- Locate future development where public infrastructure capacity exists, where existing facilities can adequately handle the development, or where private facilities could be developed in such a way that community character, environmental quality, open space, and natural resources are preserved and water-dependent uses are not displaced.
- Avoid the introduction of discordant features which would detract from the community. Compare the proposed developments with existing distribution of structures, scale, intensity of use, architectural style, land use pattern, or other indicators of community character.
- Preserve undeveloped/open space areas by avoiding adverse impacts among existing incompatible uses by avoiding expansion of conflicting uses, promoting mixed-use development approaches which would reduce the potential for conflict, segregating incompatible uses, and providing buffers or other design measures to reduce conflict between incompatible uses.
- Utilize all planning review, analysis, and mitigation tools such as the Village Steep Slope Ordinance, Westchester County Best Management Practices (BMPs) for storm water management, non-point source pollution, etc. and others.
- Protect the surrounding community from adverse impacts due to substantial introductions of or increases in odors, noise, or traffic.
- Preserve viewsheds to maximum extent possible.

Potential adverse economic impacts should be minimized, as follows:

- Prevent derelict or dilapidated conditions of existing buildings and access structures in the Waterfront/Shoreline Area, encourage the interaction of people with the waterfront.
- Protect and enhance the community's commercial districts in the Downtown and Waterfront areas.
- Promote a diverse economic base in the Downtown and Waterfront Areas to serve the needs of residents and non-residents.
- Preserve natural areas by avoiding the expansion of infrastructure or services into previously undeveloped areas, particularly at the north end of Waterfront Park, 145 Palisade Street west of the tracks, Wickers Creek and Saw Mill River corridors, wetlands, creek corridors, and steep slopes.
- Increase existing capacity of services and infrastructure to foster the concentration of development in already developed waterfront areas at 145 Palisades Street and the Chart House.

Policy 1.5

Protect stable residential areas.

Explanation of Policy:

Policies for protection of residential areas are as follows:

- Maintain residential areas and allow for the restoration of existing commercial and institutional buildings for conversion to residential dwellings. In protecting the existing residential areas, the existing housing stock should be preserved. Opportunities should be provided for the development of a variety of housing types to meet the needs of people at various income and age levels, and household compositions.
- Avoid new uses and developments that are incompatible with existing residential development. Avoid new uses in a stable residential area when the use, design, or scale will significantly impair the character or functionality of the neighborhood.

Application to Dobbs Ferry:

Residential land uses in Dobbs Ferry basically take four forms: detached single-family homes, apartments (accessory apartments and over stores in the Downtown Area) and multiple dwelling units occurring in townhouse condominiums, converted older single family structures, and multi-story buildings.

Underutilized spaces over stores or in vacant buildings in the Downtown Area present housing opportunities. Proper zoning can capitalize on these opportunities to contribute to the vibrancy of the downtown. The Village should review its zoning law to identify strategies to increase residential use in the Downtown area. In addition, the Village should develop guidelines for new construction, redevelopment, and screening in any part of Dobbs Ferry to prevent the reduction or loss of vistas that connect people to the River.

Policy 2.0

Preserve historic/archaeological resources of the Coastal Area.

Explanation of Policy:

This policy recognizes the importance of preserving and enhancing the area's historic, archaeological, and cultural resources, especially those with a coastal relationship. Concern extends not only to the preservation of a specific site or resource but to maintaining the quality of the area adjacent to and around specific sites and resources. Effective preservation of historic resources must also include active efforts, when appropriate, to restore or revitalize such resources.

Applicability to Dobbs Ferry:

Dobbs Ferry's historic and cultural legacy is rich in architecture, marine and land based transportation routes, water ways, and scenic resources that contribute to the enrichment of Dobbs Ferry's identity and provide a multitude of opportunities to restore or revitalize points of interest for the enjoyment of residents and tourists alike. Many, but not all, of these resources are related to Dobbs Ferry's Hudson River location.

Policy 2.1

Maximize preservation and retention of historic resources.

Explanation of Policy:

Historic resources are defined as those structures, landscapes, districts, areas or sites, or underwater structures or artifacts which are designated locally, nationally, or by the State to be protected. This protection begins at the minimum degree necessary to maintain the historic character of the resource. These resources should be protected through the following standards:

- Preserve the historic character of the resource by protecting historic materials and features by making repairs using appropriate materials.
- Provide for compatible use of a historic resource while limiting and minimizing alterations to the resource.
- Promote the designation of historic landmarks that reflect Dobbs Ferry's cultural, social, economic, and architectural history.
- Recognize that public investment in historical development is important to illustrate a commitment to the business community and public at large who may later invest.
- Avoid potential adverse impacts of development on adjacent or nearby historic structures.

Applicability to Dobbs Ferry:

Dobbs Ferry is committed to consider the historical and cultural significance of properties in the Village and their structures and other resources when making land use and zoning decisions and when taking other related Village actions.

Policy 2.2

Protect and preserve archaeological resources.

Explanation of Policy:

Conduct a site survey and cultural resource investigation when an action is proposed on an archaeological site or in an area identified for potential archaeological sensitivity. If cultural resources are discovered, determine the resource's archaeological significance through detailed evaluation.

If impacts are anticipated on a significant archaeological resource, potential adverse impacts should be minimized by:

- Redesigning the project.
- Reducing direct impacts on the resource.
- Recovering data and artifacts prior to construction, pursuant to review and approval by the New York State Office of Parks, Recreation, and Historic Preservation.

Applicability to Dobbs Ferry:

Dobbs Ferry, having completed extensive evaluation of the archaeological significance of the shell midden area at the Wickers Creek Archaeological Site, should take all necessary measures within its jurisdiction to preserve the historical and cultural significance of this site.

Policy 2.3

Protect and enhance resources that are significant to the riverfront culture.

Explanation of Policy:

This policy applies to resources such as historic shipwrecks, lighthouses, and other navigational structures. It also aims to protect the character of historic maritime communities by preserving traditional uses that define the maritime character.

Applicability to Dobbs Ferry:

Dobbs Ferry, owing its name to the ferry service of John Dobbs from the 19th and early 20th century, will provide interpretive materials in appropriate settings to augment the public's understanding and appreciation of the Dobbs Ferry's maritime heritage.

There are no historic maritime structures remaining on the waterfront or River at Dobbs Ferry.

Policy 3.0

Enhance visual quality and protect outstanding scenic resources.

Explanation of Policy:

The scenic qualities of the waterfront are significant and contribute greatly to the area's beauty and character. The area has highly scenic natural resources and a variety of cultural elements that should be protected. The preservation of the aesthetic, historic, and scenic character of Dobbs Ferry is important to the area's attraction as a waterfront area and a heritage area. Scenic views are extensive and varied.

They include long-range views from roadways and upland areas, and shorter-range views from bridges and shoreline locations.

Policy 3.1

Protect and improve visual quality in Dobbs Ferry.

Explanation of Policy:

The following standards and guidelines will be used to protect and improve visual quality:

- Minimize the introduction of elements discordant with existing scenic components and character.
- Restore deteriorated and remove degraded visual components.
- Screen elements that detract from visual quality.
- Use appropriate siting, scales, forms, and materials to ensure that structures are compatible with and add interest to existing scenic elements.
- Preserve existing vegetation and add new vegetation to enhance scenic quality.
- Allow the selective clearing of vegetation to provide or enhance public views.
- Improve the visual quality of urban areas.
- Consider the impacts of new development on existing visual resources.

Applicability to Dobbs Ferry:

- In Village decisions regarding tree removal permits and improvement of visual access to the River, one significant factor among several factors to be weighed, including the tree's role in the neighborhood, is the tree's function in preventing erosion and providing habitat. Another is its energy-saving shade capabilities. Removal could improve a neighbor's view as well as the owner's view.
- The Village should manage its property with consciousness to view enhancement.
- The Village should review its regulations and policies to identify strategies to preserve scenic viewsheds.
- Special attention should be given to zoning and architectural review regulations in the Downtown Area where there is a potential for River views that connect the historic commercial strip with the river that brought Dobbs Ferry into existence. These views deserve strong protective measures because of their scenic qualities and their centrality to life in Dobbs Ferry through location and frequency of use.

- The Old Croton Aqueduct State Historic Park status as a state and national Historic Landmark legally mandates careful attention to the impact of public and private development to this regional scenic and recreational resource. Dobbs Ferry's local review processes should reflect that obligation. Applicants for site plan review of development proposals located on adjacent land should be made aware of the Aqueduct's special status as early as possible.

Policy 3.2

Identify, develop and/or improve properties that have the potential to enhance the public's appreciation of the visual resources of Dobbs Ferry.

Applicability to Dobbs Ferry:

In Village decisions regarding acquisition and development of park space, the scenic value of property will carry substantial weight among other important considerations such as wildlife habitat or adaptability for active recreation. Proposed improvements such as structures, parking facilities, and fencing to adapt newly acquired open space for recreational use should be carefully controlled to minimize negative impacts on scenic values.

1. Dobbs Ferry should reassess public and private night-lighting levels and enact precise controls on new lighting installations to reduce unwelcome glare Village-wide. This should promote better night views of the River and the NYC Skyline.
2. Dobbs Ferry should be vigilant in review of the location and regulation of cell towers and satellite dishes, utilizing existing tall structures and rooftops.
3. Dobbs Ferry should review and scrutinize park improvements made possible through Westchester County assistance to ensure that they meet the Village's view preservation requirements and can be maintained by Village.

B. Natural Coast Policies

Policy 4.0

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

Explanation of Policy:

This policy reflects state flooding and erosion regulations and provides measures for reduction of hazards and protection of resources.

Applicability to Dobbs Ferry:

Almost all of Dobbs Ferry's Hudson River shoreline is located within the 100-year floodplain. Shoreline stabilization, especially in the waterfront/shoreline area, is vulnerable to the estuary's tidal action and seasonal flooding conditions. Dobbs Ferry participates in the National Flood Insurance Program (NFIP)

and has local laws covering flood damage prevention. These laws are designed to prevent future property damage within the flood hazard area. Erosion continues to be a significant problem along the Hudson River shoreline and the banks of the Wickers Creek and the Saw Mill River.

Policy 4.1

Minimize potential loss and damage by locating development and structures away from flooding and erosion hazards.

Explanation of Policy:

Standards that are applicable to Dobbs Ferry that are directed at protecting life and property using various management measures related to flood and erosion damage prevention are presented below:

- Avoid developing new structures and uses in areas that are likely to be exposed to flood and erosion hazards unless the structure or use functionally requires a location on the coast, in coastal waters, or on or near a streambank or steep slope.
- Locate new structures that are not functionally dependent on a location on or in coastal waters, or on or near a streambank or steep slope, as far away from flooding and erosion hazards as possible.
- Provide funds for housing rehabilitation in the floodplain only in the context of flood-proofing, and only when determined as “no practicable alternative.”
- Provide public infrastructure in or near identified structural hazard areas, or natural protective features only if the infrastructure will not promote new development or expansion of development in areas identified locally as coastal erosion hazard areas, and is designed in a manner which will not impair protective capacities of natural protective features.

Applicability to Dobbs Ferry:

Dobbs Ferry's shoreline west of the tracks is partially made up of artificial fill -- deposited in the 1950s -- to create Waterfront Park. Large boulders and riprap are used to stabilize the shoreline along its entire length, save for the two sandy coves and the retaining wall at the south end of Nun's Beach. The condition of the riprap is deteriorated and some areas have seriously eroded. At Waterfront Park it has become a safety hazard to visitors who wish to walk along the paved shoreline pathway. Much of the shoreline area is also in the flood zone and is vulnerable to flooding during high volume storm events at high tide. Measures to protect the shoreline, through natural and engineered means, will become a priority of the Village and all erosion protection devices along the Village-owned portions of the waterfront will be maintained and upgraded to further prevent deterioration.

Within the Waterfront Zoning District, structures subject to issuance of a special permit and site plan review are not to be situated closer than 150 feet from the mean high water line of the Hudson River. Other protective mechanisms will be required by the new EPA Phase 2 Stormwater Management Rules.

Policy 4.2

Preserve and restore natural protective features.

Explanation of Policy:

The intent of this policy is to enhance existing natural protective features by the use of non-structural measures that are appropriate to manage erosion problems.

- Use vegetative non-structural measures to increase protective capacities of hard structures and natural protective features against flooding and erosion at every opportunity.
- Use hard structural erosion protection measures for control of erosion only where construction of a hard structure is the only practical design option and is essential to protecting the principal use, and where vegetative approaches are not effective or practical.

Applicability to Dobbs Ferry:

There are no known natural shoreline protective features in Dobbs Ferry at this time. Along the coastal area, Dobbs Ferry will encourage the utilization of techniques that closely resemble natural shoreline stabilization systems. For example, a natural vegetative approach to erosion prevention could be implemented in the currently undeveloped section at the north end of Waterfront Park, at the mouth of Wickers Creek, and along the banks of the Saw Mill River. "Non-structural measures" may be used along selective protected habitat restoration areas to complement existing hard structure stabilization measures and to recapture natural areas that have been lost to development in areas along the shoreline. The Village will implement these measures in compliance with existing water quality regulations and with the assistance of state and federal agencies. Native species will be used in re-vegetation projects.

Policy 4.3

Protect public lands and public trust lands and the use of these lands when undertaking erosion or flood control projects.

Explanation of Policy:

Every effort should be made to protect the loss of public lands threatened by flooding and erosion using the techniques and standards described above.

Policy 5.0

Protect and improve water resource quality and supply in the Village

Explanation of Policy:

The purpose of this policy is to protect the quality and quantity of water in the waterfront area. Quality considerations include both point and nonpoint pollution management. Water quality protection and

improvement must be accomplished by the combination of managing new and remediating existing sources of pollution.

The primary water resources in the Village of Dobbs Ferry are the Hudson River, the Saw Mill River and Wickers Creek. The protection and improvement of these resources is paramount to the cultural and economic future of Dobbs Ferry and maintenance and improvement of the quality of these resources is central to short and long-term revitalization goals.

Sub-policies and policy standards for Policy 5 include the following:

Policy 5.1

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

Explanation of Policy:

This sub-policy focuses on those discharges into the water resources of Dobbs Ferry which have an identifiable source, such as a development site, industrial operation, or wastewater treatment plant. These are called “point-source” discharges. Point-source discharges into water resources are regulated by New York State Pollutant Discharge Elimination System (SPDES) permits that serve to prevent discharges that:

- Exceed applicable effluent limitations for the discharge source.
- Cause or contribute to contravention of water quality classification and use standards.
- Materially adversely affect the water quality of receiving rivers and streams.
- Violate a vessel waste no-discharge zone prohibition. (This zone extends the length of the Hudson River from Battery Park to the Troy Dam.)

The effective treatment of sanitary sewage and industrial discharges will be ensured by:

- Maintaining efficient operation of sewage and industrial treatment facilities pursuant to the applicable NYSDEC regulations.
- Providing, at minimum, secondary treatment of sanitary sewage.
- Making improvements to sewage treatment facilities to improve nitrogen removal capacity.
- Reducing the loading of toxic materials into waters by including limits on toxic metals as part of wastewater treatment plant effluent permits.
- Reducing or eliminating combined sewer outflows.
- Providing and managing on-site disposal systems in accordance with NYS Codes, Rules and Regulations.

Applicability to Dobbs Ferry:

There are no point sources in Dobbs Ferry that discharge directly into the Hudson River, Wickers Creek, or the Saw Mill River. All regulated point sources - sanitary sewers and pretreated industrial discharges - are connected to the Westchester County trunk line which delivers effluent to the Yonkers Wastewater Treatment Plant where it is treated before discharge into the Hudson River.

Policy 5.2

Minimize indirect or non-point pollution of water resources, and manage activities causing non-point pollution.

Explanation of Policy:

Non-point pollution is pollution that originates from sources that are not localized or easily identifiable. Non-point pollution includes contaminated surface water runoff of urban areas and agricultural operations. Limiting non-point sources of pollution is the best way to avoid non-point pollution. This can be accomplished by the following:

- Reducing or eliminating the introduction of materials which may contribute to non-point pollution.
- Avoiding activities that would increase stormwater runoff.
- Retaining or establishing vegetation or providing soil stabilization.
- Preserving natural hydrologic conditions through maintenance of natural water surface flows thereby retaining natural watercourses, wetlands, and drainage systems.

Applicability to Dobbs Ferry:

This policy is particularly applicable to Dobbs Ferry in that the Village comprises the drainage basins of two Hudson River tributaries - Wickers Creek and the Saw Mill River. Non-point pollution from roadways, fertilized lawns and golf courses, eroded stream banks and steep slopes should be prevented through the implementation of the following standards:

- Develop both watershed planning and protection approaches and efforts targeting specific pollution sources to reverse the pollution that continues to degrade the Hudson River and its tributaries.
- Develop a village-wide stormwater management plan, in accordance with current EPA Phase 2 Stormwater Management standards, to address any non-point sources of pollution and to establish physical and regulatory mechanisms to prevent further non-point pollution.

- Incorporate integrated pest management (IPM) practices that encourage use of native or other species in landscaping and that requires no or minimal use of fertilizers, pesticides, herbicides, or fungicides.
- Incorporate the use of oil-separating catch basins at gas stations and parking lots and all other instances where catch basins are proposed as part of development plans.

Policy 5.3

Protect and enhance water quality of coastal waters.

Explanation of Policy:

To preserve and improve water quality, non-point source pollution should be minimized by the following actions:

- Retaining as much of the natural vegetation as possible near the waterfront and avoiding the mass clearing of sites.
- Utilizing large graded areas on the most level portions of development sites, and avoiding the development of steep vegetated slopes.
- Conducting grading and clearance activities outside of floodplains to the extent feasible.
- Completing construction work pursuant to a NYSDEC State Pollutant Discharge Elimination System (SPDES) permit for stormwater discharge related to construction work, and maintaining a Construction Pollution Prevention Plan (CPPP) on-site for DEC inspection.
- Protecting inlets to storm sewers by using suitable erosion control and filtering devices during construction.
- Continually evaluating the effectiveness of storm collection systems, and making improvements, where possible, aimed at collecting and detaining sediments in filtering catch basins and retention areas.
- Adequate pump-out facilities should be maintained by local/regional marinas to discourage the overboard discharge of sewage from boats.

Applicability to Dobbs Ferry:

A great portion of Dobbs Ferry's development is situated on sloped land, with a center ridgeline separating stormwater runoff to Wickers Creek and the Hudson River on the west and to the Saw Mill River on the east. Dobbs Ferry's system of stormwater sewers and catch basins, which captures rain water contaminated with eroded soil, automotive residue, road salts, petroleum, and other pollutants, runs directly into the Hudson River. Much of the runoff and pollutants that are not captured by the

system end up in the Saw Mill River or Wickers Creek, causing fast eroding currents, occasional flooding, and water quality degradation.

- Local measures to control and manage erosion and excessive runoff are essential to the prevention of degradation of the Hudson's water quality. A stormwater management plan for the Wickers Creek and Saw Mill River watersheds should be developed to moderate stream flow and control stream bank erosion.
- Leaking underground storage tanks (LUSTs) are also a common cause of water resource degradation. The recent discharge of gasoline from an underground gas tank at the Mobil Station, in the northern gateway area, into the south branch of Wickers Creek (currently being remediated under NYSDEC direction) brought attention to the vulnerability of local water bodies. The siting and subsequent installation of petroleum storage facilities in Dobbs Ferry should be subject to vigorous review and inspection standards.

Many areas of Wickers Creek and the Saw Mill River in the Village have become dumping grounds for local debris. State law regulates the discharge of sewage, garbage, rubbish, and other solid and liquid materials into the State's waters. These laws should be supplemented by local dumping/clean up policies and public education programs about the significance of these unique water resources.

Policy 5.4

Limit the potential for cumulative and secondary impact of watershed development and other activities on water quality and quantity.

Explanation of Policy:

Protect water quality by ensuring that watershed development results in:

1. Protection of areas that provide important water quality benefits,
2. Maintenance of natural characteristics of drainage systems, and
3. Protection of areas that area particularly susceptible to erosion and sediment loss.

Applicability to Dobbs Ferry:

In addition to the protective measures discussed in sub-policy 5.3, it is particularly important that sensitive areas be protected during construction of approved projects in the watershed areas. In the Wickers Creek and Saw Mill River watersheds in particular, the potential for erosion and sediment loss is great. Measures to control the loss of soil and streambank stability in these areas are crucial to the continued health and viability of these tributaries as well as the waters of the Hudson River.

Policy 6

Protect and restore ecological resources including significant fish and wildlife habitats, wetlands, and rare ecological communities.

Explanation of Policy:

Significant coastal fisheries and wildlife habitats, identified as critical to the maintenance or re-establishment of species of fish and wildlife within the waterfront revitalization boundary, must be protected. The habitats provide vital necessities for wildlife and enrich the human cultural environment. Avoid permanent adverse changes to the involved ecosystem.

Wetlands provide fish and wildlife habitat and numerous benefits. These benefits include fish and wildlife habitats, erosion and flood control, natural pollution treatment, groundwater protection and outdoor recreational values.

Sub-policies and policy standards relating to Policy 5 include the following:

Policy 6.1

Protect locally significant coastal fish and wildlife habitats.

Explanation of Policy:

Significant fish and wildlife habitats are those areas that are difficult or impossible to replace or exhibit one or more of the following characteristics:

- Essential to the survival of a viable population of a particular fish or wildlife species.
- Support a species which is either endangered, threatened or of special concern as those terms are defined in 6 NYCRR Part 182.
- Support fish or wildlife populations having significant commercial, recreational, or educational value to human beings or are of a type that is not commonly found in this region of the state.

These uses or activities should be avoided which would cause:

- Direct or indirect physical alteration, disturbance, or pollution that would result in the loss of habitat.
- Significant impairment of a habitat beyond the tolerance range for recovery of fish and wildlife populations.
- Degradation of existing environmental conditions.

All projects along the waterfront, and especially projects involving waterfront access, must be developed in a manner that ensures the protection of fish and wildlife resources. Project reviewers must consider potential impacts on fish and wildlife habitats, avoid project development and other activities

that would destroy or impair habitats, and encourage project design that will restore previously impacted habitats for desirable species.

Where destruction or significant impairment of habitat values has already occurred or cannot be avoided, potential impacts of land use or development should be minimized through appropriate mitigation. Mitigation includes:

- Avoiding ecologically sensitive areas
- Scheduling activities to avoid vulnerable periods in life cycles or the creation of unfavorable environmental conditions
- Preventing fragmentation of intact habitat areas
- Reducing the scale or intensity of use or development
- Designing projects to result in the least amount of potential adverse impact
- Choosing alternative actions or methods that would lessen potential impact

Applicability to Dobbs Ferry:

The mouth of Wickers Creek must be kept free of obstruction and protected from adverse impacts of any future projects in the waterfront/shoreline area. Locally significant fish habitats exist in the tidal marsh area at the mouth of the creek. The banks of the creek need to be kept vegetated with overhanging branches that provide cover and protection for young fish. A carefully designed and constructed footbridge over the mouth of Wickers Creek, as part of the Riverwalk trail, will serve to minimize disturbance of this sensitive tidal area. Careful attention will also be given to prevent substantial changes to the Hudson River's gravelly bottom or introduce any change to the river's temperature.

The LWRP recommends that these issues for the Saw Mill River be addressed through a bio-assessment study of this water resource, similar to the 2001 Wickers Creek study.

Policy 6.2

Support the restoration of Significant Coastal Fish and wildlife Habitats wherever possible so as to foster their continued existence as natural, self-regulating systems.

Explanation of Policy:

Measures which can be undertaken to restore significant habitats include:

1. Reconstructing lost physical conditions to maximize habitat values.
2. Adjusting adversely altered chemical characteristics to emulate natural conditions, and

3. Manipulating biological characteristics to emulate natural conditions through re-introduction of indigenous flora and fauna.

Applicability to Dobbs Ferry:

The shoreline at Waterfront Park, the mouth and ravine of Wickers Creek, and the Nun's Beach area at the Landing offer many opportunities to identify specific areas and plan for the construction of natural habitat systems through introduction of new shoreline stabilization systems that incorporate habitat design and the re-introduction of indigenous flora.

Policy 6.3

Protect freshwater wetlands or woodlands in Dobbs Ferry.

Explanation of Policy:

Wetland and wooded areas comprise a portion of the shoreline along Hudson River, Wickers Creek, and the Saw Mill River as well as upland areas of Dobbs Ferry. They contribute to the natural ecosystem of the area, and add beauty and balance to the overall landscape. The maintenance restoration of these areas, as important fish and wildlife habitats, will enhance their functioning as natural, self-regulating systems. Development actions that would negatively impact wetland and wooded areas shall be avoided. In such cases where impairment of these resources cannot be avoided, the negative impacts shall be minimized through appropriate mitigation measures.

Applicability to Dobbs Ferry:

The following actions and policies apply to projects impacting all identified wetlands and wooded areas within Dobbs Ferry:

- Adequate buffers between wetlands and adjacent uses should be provided and maintained to the extent feasible.
- Avoid the placement of fill in vegetated wetlands.
- Design projects to result in the least amount of potential adverse impact pursuant to the appropriate Army Corps of Engineers wetland permit and NYSDEC Water Quality Certification or other permits.
- Choose alternative actions or methods that would lessen potential adverse impact on wetlands, woodlands, and steep sloped areas.
- Mitigate the unavoidable adverse impacts resulting from activities by replacement of lost wetland areas or other appropriate means.
- Protect wooded areas to the extent feasible.

The above protection standards will be applied to all identified wetlands and wooded areas in Dobbs Ferry, including:

- The wetland plant community located on the north side of the mouth of Wickers Creek. This area is rich in bird life. It is dominated by dense vegetation which provides wildlife cover, foraging habitat, and helps prevent soils from eroding into the Creek.
- The wetland, located on the south side of Walgrove Avenue on the Children's Village property, which is part of the drainage basin of the south branch of Wickers Creek.
- Wooded areas along Wickers Creek and Saw Mill River corridors.
- Wooded areas along steep slopes in the Village.
- Large wooded areas of the Village including the Juhring Estate, Children's Village, the Masters School, and the western edge of Mercy College.

Policy 7.0

Protect and improve air quality.

Explanation of Policy:

The major source of air pollution in the Village is automobile exhaust. This policy provides for protection of air quality from sources within and from outside Dobbs Ferry.

Policy 7.1

Minimize existing air pollution and prevent new air pollution in the Village of Dobbs Ferry.

Explanation of Policy:

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

- Ensure that developments proposed in Dobbs Ferry do not exceed thresholds established by the Federal Clean Air Act and state air quality laws.
- Review land use or development in Dobbs Ferry to ensure it does not generate significant amounts of nitrates and sulfates.
- Consider measures to reduce car dependency including providing safe pedestrian access throughout the Village and encourage the use of public transportation.

Policy 7.2

Minimize discharges of atmospheric radioactive material, chlorofluorocarbons, and pollution from nitrogen sources to levels that are as low as possible.

Explanation of Policy:

State air quality statutes regulate radioactive materials, chlorofluorocarbon compounds, and nitrogen pollutants. The following three standards provide that, for actions with a potential impact on air quality, Dobbs Ferry shall provide information to the State, as appropriate, to enable the State to effectively administer its regulations by:

- Providing necessary information on local actions to the State to enable the State to effectively administer its air quality statutes pertaining to atmospheric radioactive material.
- Assisting the State whenever possible in the administration of its air quality statutes pertaining to chlorofluorocarbon compounds.
- Assisting the State whenever possible in the administration of its air quality statutes pertaining to the atmospheric deposition of pollutants in the region, particularly from nitrogen sources.

Policy 8

Minimize environmental degradation from solid waste and hazardous substances and wastes.

Explanation of Policy:

Dobbs Ferry does not have any active hazardous waste storage facilities. Solid waste is presently managed on a regional level. The intent of this policy is to protect people from contamination, and to protect waterfront resources in Dobbs Ferry from degradation through proper control and management of wastes and hazardous materials.

Policy 8.1

Manage solid waste to protect public health and control pollution.

Explanation of Policy:

Solid waste should be managed by:

- Reducing the amount of solid waste generated.
- Reusing or recycling materials.
- Using land burial or other approved methods to dispose of solid waste that is not reused or recycled.

The discharge of solid wastes into the environment should be prevented by using proper handling, management, and transportation practices. Solid waste disposal should be adequately addressed when evaluating any development proposal in Dobbs Ferry.

Policy 8.2

Manage hazardous wastes to protect public health and control pollution.

Explanation of Policy:

Hazardous wastes should be managed in accordance with the following priorities:

- Eliminate or reduce the generation of hazardous wastes to the extent feasible.
- Recover, reuse, or recycle remaining hazardous wastes to the extent feasible.
- Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused, or recycled.

Applicability to Dobbs Ferry:

There are no active or inactive hazardous waste disposal sites in Dobbs Ferry.

Policy 8.3

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

Applicability to Dobbs Ferry:

The Village of Dobbs Ferry should develop a pollution prevention program to prevent the release of any toxic pollutants or substances hazardous to the environment that would have a harmful effect on public health and fish and wildlife resources. Public health, private property, and fish and wildlife need to be protected from the inappropriate use of pesticides and petroleum products by:

- Limiting the use of pesticides to the effective targeting of actual pest populations.
- Preventing direct or indirect entry of pesticides into waterways except when waterway application is essential for controlling the target species as in pond reclamation projects, black fly control operations, or nuisance aquatic vegetation control projects.
- Minimizing the exposure of people, fish, and wildlife to pesticides.
- Minimize adverse impacts from potential oil spills through the appropriate siting of petroleum facilities.
- Prevent discharge of petroleum products by following approved handling, storage, and facility design and maintenance principles.

Policy 8.4

Prevent and remediate the discharge of petroleum products.

Applicability to Dobbs Ferry:

The handling of petroleum products near water bodies must be undertaken with utmost care. This includes areas at the Hudson River waterfront as well as areas along the Wickers Creek and Saw Mill River corridor. Wickers Creek, in particular, runs through the northern gateway area where two gas stations are located. The Village should take appropriate actions to correct all unregulated releases of substances hazardous to the environment. Village practices for cleanup and removal of petroleum discharges should give first priority to eliminating human safety hazards and minimizing environmental damage by responding quickly to spill events and containing discharges immediately after discovery.

The following standards are applicable throughout the Village:

- As part of the Village's stormwater management plan, require an adequate plan for prevention and control of petroleum discharges at any major petroleum handling facility.
- Undertake clean-up and removal activities of petroleum discharge in accordance with guidelines contained in the New York State Water Accident Contingency Plan and Handbook, and giving first priority to minimizing environmental damage by:
 - Responding quickly to contain petroleum spills.
 - Containing discharges immediately after discovery.
 - Recovering petroleum discharges using the best available practices.
 - Encouraging careful self-monitoring of auto-related businesses.

Policy 8.5

Transport solid waste and hazardous substances and waste in a manner that protects the safety, well being, and general welfare of the public; the environmental resources of the state; and continued use of transportation facilities.

Applicability to Dobbs Ferry:

As part of its solid waste management plan, the Village of Dobbs Ferry will incorporate Village guidelines to carry out the intent of this policy in its collection and transport of solid waste.

Policy 8.6

Seek alternative locations outside Dobbs Ferry for solid and hazardous waste disposal facilities.

Applicability to Dobbs Ferry:

Dobbs Ferry is seeking to revitalize and maintain waterfront and downtown areas that are healthy and attractive to residents and tourists. Waterfront lands must be preserved for water-dependent and water-enhanced uses. Dobbs Ferry includes a much higher concentration of population than in outlying areas of the County and State. For these reasons, the siting of solid and hazardous waste storage or disposal facilities within the Village is prohibited.

C. Public Coast Policy

Policy 9

Improve public access to, and recreational use of, coastal waters, public lands, and public resources of the waterfront area.

Explanation of Policy:

The most significant challenge to public enjoyment of the Hudson River and to future waterfront development or redevelopment options is the lack of sufficient public access points to the waterfront. Physical and visual access to coastal lands and waterfronts is limited for the general public along many stretches of the Hudson River. Limitations to reaching and viewing are further heightened by the general lack of opportunity for diverse forms of recreation at those sites that do provide access. Furthermore, available access and recreational opportunities are often limited to local residents. Private development has made much of the waterfront physically inaccessible. Many views have been lost or blocked. Use of the water surface has also been impeded by the lack of appropriate access structures for pedestrians and watercraft. Given the lack of adequate public access and recreation, this policy incorporates measures needed to improve public access and recreational resources throughout the coastal area.

Applicability to Dobbs Ferry:

Throughout the Hudson River's eastern shoreline, access is restricted and often completely severed by the Metro North and Amtrak railroad tracks and/or the dramatic topographical changes at the River's edge. In Dobbs Ferry, private ownership of large tracts of waterfront property contributes greatly to these access restrictions. Although visual access to the Hudson River is significant from many areas of Dobbs Ferry, physical access to the waterfront is also limited by the lack of adequate direction signs, pedestrian walkways, recreational parking, and launching facilities. There is also a lack of a diverse set of waterfront activities. Dobbs Ferry's steep slopes pose barriers to non-vehicular access to and particularly from the waterfront area.

The other prevailing access issues are related to the quality and limitations of existing waterfront access facilities. There is a lack of connection to the downtown commercial and residential areas, other Dobbs Ferry recreational resources, the adjacent communities, and the regional trail system.

Due to steep topography and densely wooded cover, as there is no land mass west of the tracks south of the Chart House nor north of Nun's Beach at the Landing that could be directly accessed. Therefore, this

discussion of public access to the Dobbs Ferry waterfront is limited to the Waterfront/Shoreline area located between the Chart House and Nun's Beach.

Policy 9.1

Promote physical public access and recreation throughout Dobbs Ferry.

Explanation of Policy:

Public access and recreation facilities improve the quality of life for residents and generate revenues for the businesses throughout Dobbs Ferry. The following standards will be used as a guide in making future decisions regarding public access and expanding recreation opportunities:

- Create more opportunities for pedestrians/strollers/bicycles to get to and enjoy the waterfront.
- Foster new ways to connect existing paths with new paths so as to create a multi-use trail network. Also, make trail connections to regional trails that bridge communities.
- Provide for more recreational parking near waterfront areas. Use commuter parking areas when they are vacant on weekends.
- Provide for more and appropriate active and passive recreational opportunities in the waterfront areas.
- Provide for the needs of special populations such as the elderly and persons with disabilities.

Applicability to Dobbs Ferry:

Developing new access opportunities will be a priority for Dobbs Ferry, including working with Metro North and private land owners to improve pedestrian and vehicular access across the tracks. For example, the privately-owned one-lane vehicular bridge across the tracks at 145 Palisade Street is a potential pedestrian access point that needs to be improved. Dobbs Ferry will encourage the implementation of public and private capital and programmatic projects to:

- Develop walkways along the waterfront, wherever feasible, with regard for the preservation of the natural shoreline.
- Strengthen physical linkages between the waterfront and downtown areas by improved access, signage, sidewalks, and trails.
- Improve access to the downtown commercial area, the waterfront and the train station from Route 9, the region's major thoroughfare. This might be done via improved signs, safe pedestrian walkways, and traffic calming measures.
- Increase access opportunities for recreational visitors to the waterfront by accommodating automobiles and bicycles in the commuter parking during appropriate hours (on weekends and weekday evenings.)

- Develop shoreline access opportunities for non-motorized watercraft.
- Incorporate land use and zoning requirements for public access to the waterfront on private property. Accordingly, the Waterfront District Zone that has been recommended by the LWRP includes incentives to provide public access to the waterfront.

Policy 9.2

Protect and provide public visual access to waterfront lands and waters from public sites and transportation routes where physically practical.

Explanation of Policy:

To the extent feasible, views of the waterfront from roads and public access locations should be expanded to allow full appreciation of the beauty of these resources, and to increase the attractiveness of the waterfront for residents and tourists.

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

- Limit physical blockage of existing visual access by constructing improvements and buildings at an appropriate scale and location.
- Protect view corridors provided by streets or natural resources.
- Provide interpretive signs/kiosks/exhibits at appropriate locations to enhance the understanding and enjoyment of views.
- Allow vegetative or other screening of uses that detract from the visual quality of the waterfront.
- Adopt and enforce regulatory and land use mechanisms that preserve and enhance visual resources.

Applicability to Dobbs Ferry:

Dobbs Ferry has enormous, and in many cases unrealized, scenic potential. Because of the topographic richness of Dobbs Ferry and its historic character, this potential is not limited to water-related views. Because River and inland scenic resources define the character of Dobbs Ferry and have significant impact on private property values and the resultant tax base, view preservation and enhancement should receive serious attention. Views should be an important part of any revisions to local zoning and planning regulations.

Dobbs Ferry should take actions on municipal property to improve and enhance visual access to the River from both public and private space.

Policy 9.3

Preserve public interest in and use of lands and waters held in public trust by the state and other government entities.

Explanation of Policy:

Retain public interest in the transfer of interest in underwater lands, and limit grants, leases, easements, permits, or lesser interest in lands underwater in accordance with an assessment of potential adverse impacts of the proposed use, structure, or facility on public interest lands under water.

Policy 9.4

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

Explanation of Policy:

Provide free and substantial unobstructed passage along public trust shorelands. Interference with passage along the shoreline is limited to the minimum extent necessary to gain access from the upland to the water.

Policy 9.5

Provide access and recreation that is compatible with natural resource values.

Explanation of Policy:

Access and recreational activities must avoid adverse impacts on natural resources. The following factors will be utilized in determining the potential for adverse environmental effects:

- The intensity of the anticipated recreational activity.
- The level of disturbance associated with the activity.
- The sensitivity of the natural resources involved.
- The impacts of required operations and maintenance activity.

Access should be limited where the uncontrolled public use of a recreational facility or public access site would impair the natural resources.

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

- Provide access for fish and wildlife related activities, so long as the level of access would not result in the unacceptable adverse impacts to, or loss of, the resources themselves.
- Use methods and structures of access that maintain and protect open space areas associated with natural resources.

- Impose seasonal limitations on public access where necessary to avoid adverse environmental impacts. This is especially true during the winter season when snowmobiles can cause damage to the banks of rivers and streams and cause excessive noise, and during drought periods when soil and vegetation is easily eroded.

Applicability to Dobbs Ferry:

In designing access facilities to and along the waterfront, provision should be made for the protection and enhancement of natural habitat and tidal wetlands at the mouth of Wickers Creek and along the shoreline at sandy beach areas.

Access facilities at the water's surface, i.e. water trails, boat launches, and docks, should be sited and designed with minimum impact to shoreline habitats and the river bottom, or to land-based natural resources used for access to the waterfront. Where possible, existing access facilities should be used and enhanced rather than building new facilities.

D. Working Coast Policies

Policy 10

Protect water-dependent uses and promote the siting of new water-dependent uses in suitable locations.

Explanation of Policy:

The intent of this policy is to protect existing water-dependent commercial, industrial, and recreational uses on the waterfront and to promote their future siting in accordance with the reasonably expected demand for such uses. Given the finite amount of waterfront property suitable for purposes of development, it is reasonable to expect that the long-term demand for waterfront space will only intensify. To ensure that water-dependent uses can be accommodated within the State, State agencies and local governments should discourage non-water dependent uses that would pre-empt the reasonable foreseeable development of water-dependent and water-enhanced uses. It is also the intent of this policy to foster orderly water use by establishing management standards to address conflicts, congestion, and competition for space in the use of surface waters and underwater lands.

Applicability to Dobbs Ferry:

In promoting new water-dependent and water-enhanced uses at these sites, a number of Village actions should be considered.

Sub-policies and standards relating to Policy 10 include the following:

Policy.10.1

Protect water-dependent uses

Explanation of Policy:

The uses and facilities considered as water-dependent are:

1. Uses that depend on the utilization of resources found in coastal waters (e.g.: fishing, marine culture activities, wetland habitat);
2. Recreational activities that depend on access to coastal waters (e.g. swimming, fishing, boating, wildlife viewing);
3. Flood and erosion protection structures (e.g. breakwaters, bulkheads);
4. Facilities needed to store and service boats and ships (e.g. marinas, boat storage and repair, boat construction yards);
5. Scientific/educational activities which, by their nature, require access to coastal waters (e.g. oceanographic activities, historic, cultural, and environmental interpretation);
6. Support facilities that are necessary for the successful functioning of permitted water-dependent uses (e.g. parking lots, fish and crab shacks, snack bars, first-aid stations, short-term storage facilities.) Though these uses must be near the given water-dependent use, they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.
7. Uses involved in the sea/land transfer of goods (e.g. docks, ferry transit, pipelines);
8. Structures needed for navigational purposes (e.g. locks, dams, lighthouses).

Applicability to Dobbs Ferry:

Until the mid-1900s, Dobbs Ferry's waterfront area west of the tracks was dominated by commercial and industrial activities including a Village-owned landfill. Few of these activities were dependent on the site's strategic riverfront location. The most famous water dependent activity, of course, was John Dobbs' ferry service to and from Sneden's Landing.

In 2002, the waterfront is dominated by a public park, commercial, and residential property. Most of the Dobbs Ferry waterfront, public and private, is underutilized for water-related and water-enhanced activities. Today, other than fishing from the shore, viewing water-dependent wildlife, and informal kayaking/canoeing, there are no official water-dependent uses or supporting facilities in the Dobbs Ferry waterfront/shoreline area. Water-enhanced activities include waterside restaurant dining and active and passive land-based recreation.

Dobbs Ferry's Waterfront/Shoreline Area west of the tracks offers several locations that are physically suitable for water-dependent and water-enhanced activities, both public and private. For purposes of this discussion, this area will be separated into four smaller areas:

1. The privately owned Chart House Restaurant and parking, located at water's edge adjacent to Waterfront Park, offers magnificent views to the north, south and west. There is no dock. This is the site of a former hotel and lumberyard.
2. The Village-owned Waterfront Park, on the site of the former Village landfill, is primarily used for active and passive water-enhanced recreational activities including summer concerts, picnicking, contemplating the view, children's playground, informal ball games, etc. Water-dependent activities are recreational -- fishing from the shore at the park, and informal kayak and canoe launching from the sandy cove area north of Willow Point. It has been a park for several decades.
3. Privately-owned 145 Palisade Street, west of the tracks, includes a parking lot, small industrial and commercial buildings along the tracks, heavy equipment and materials storage, a large bulkhead and a protected sandy cove just south of the mouth of Wickers Creek. There are currently no water-dependent commercial uses at 145 Palisade Street. However, the sandy cove is used by the public as an informal kayak and canoe launch.
4. Nun's Beach at The Landing is a small wooded peninsula just north of the mouth of Wickers Creek. There is retaining wall on the south side, a rock jetty to the west, and a small beach on the north side. Reconstruction of a pedestrian bridge over the tracks, a project of The Landing developers, to access Nun's Beach from the east side of the tracks is in the planning stage.

South of the Chart House, the institutional parcels at the Village's southern border (Cabrini Nursing Home and St. Christopher's School), and north of Nun's Beach to the Village's northern border (Mercy College) are located east of the tracks with no land west of the tracks and are therefore not suitable for land-based facilities for water-dependent activities. However, their proximity to the River affords much opportunity for water-enhanced uses.

The Village has a Waterfront District Zone that provides for and protects water-enhanced and water-dependent uses.

Policy 10.2

Promote the siting of new water-dependent uses at suitable locations and provide for their safe operation.

Explanation of Policy:

When siting new water-dependent uses, the State guidelines encourage:

1. Compatibility with adjacent uses, protection of other coastal resources, and enhancement of the surrounding community.

2. Match water-dependent uses with suitable locations to reduce any conflicts that might arise between competing uses and to anticipate impact on the local and regional real estate market. The anticipated impact of these considerations could be the increased protection of existing water-dependent activities, or the encouragement of water-dependent development or an ecological reclamation project.
3. Consider the availability of in-place facilities and services such as public sewers, public water lines, adequate power supply, emergency vehicle access, and pedestrian and public transportation access.
4. If recreational boating is planned, consider setting aside a sheltered site (e.g. protected cove or navigational channel).
5. Give preference to underutilized and environmental reclamation sites to provide stimulus for capital programming, permit expediting, and other State and local actions that will be used to promote the site.
6. Provide for future expansion by considering long-term space needs for water-dependent uses and, where practicable, accommodate future demand by identifying more land that is needed in the near future.

If there is no immediate demand for a water-dependent use in a given area, but a future demand is reasonably foreseeable, temporary non-water dependent uses should be considered preferable to permanent non-water dependent uses that involve an irreversible, or nearly irreversible commitment of land, such as paved and/or structured athletic facilities.

New water-dependent uses should be located within the developed areas that contain concentrations of water-dependent commercial or recreational uses. These uses should be discouraged from undeveloped areas unless: there is a lack of suitable sites; there is a demonstrated demand for the use; the use has unique location requirements; the use is small scale and has the principal purpose of providing access to a waterway and is consistent with the character of the area.

Applicability to Dobbs Ferry:

Dobbs Ferry has engaged in long-term planning for the best possible waterfront uses in the Waterfront/Shoreline Area. Local land use controls, especially the Waterfront zoning district, is an effective tool to encourage and set aside adequate space for the development of water-dependent and water-enhanced uses.

While seeking to promote a balance of both passive and active recreational activities in the waterfront/shoreline area, Dobbs Ferry will encourage low-impact commercial and recreational (public and private) water-dependent uses such as the following:

- Floating docks

- Launch for non-motorized watercraft (canoe, kayak, shell)
- Recreational fishing facilities
- Public beach area (not for swimming unless water depth and sedimentation conditions change)
- Marine educational facilities
- Small non-motorized boat rental, repair, and storage facilities
- Marine habitat restoration and study area
- Wildlife viewing areas

These uses should be accompanied by appropriate and adequate waterside and landside access, including walkways, public transportation, and parking.

Dobbs Ferry should locate these new and expanded uses in an area with other water-dependent commercial or recreational uses and where they will be exposed to the greatest public use and benefit. Currently, the most appropriate areas for this concentration are located at the north and south ends of the park and on the privately owned parcels at 145 Palisade and the Chart House, leaving the main open areas of Waterfront Park for active and passive water-enhanced activities. Locations that exhibit important natural resource values, such as wetlands and fish and wildlife habitats, should be avoided. (e.g. the fragile environment on the banks and mouth of Wickers Creek.)

Swimming is not a recommended water-dependent activity in the waterfront/shoreline area. In 2001, a NYSDEC assessment of potential sites for Hudson River swimming beaches cited the Dobbs Ferry waterfront as an inappropriate site for swimming, due to the shallow depth of the water and the muddy condition of the river bottom. Furthermore, given the shallow depth and muddy condition of the riverbed, large motorized boat access is not recommended. Any boat launching facilities intended to accommodate non-motorized, cartop craft in this area should incorporate low-impact design and operation and require a minimum amount of disruption to the shoreline and river bottom.

Policy 10.3

Improve the economic viability of water-dependent uses.

Explanation of Policy:

Many water-dependent uses contain and are supported by non-water-dependent uses. Such ancillary uses, complementary and supportive to the water-dependent use, do not impair the ability of water-dependent uses to function. Non-water-dependent accessory or mixed-use developments may be allowed provided the following standards are met:

- Accessory uses are subordinate and functionally related to the principal water-dependent use and contribute to sustaining the water-dependent use

- Mixed uses subsidize the water-dependent use and are accompanied by a demonstrable commitment to continue operation of the water-dependent use
- Uses are sited and operated so as not to interfere with the principal operation of the site for a water-dependent use, and
- Uses do not preclude future expansion of a water-dependent use.

Other uses may be incorporated in the waterfront/shoreline area, particularly water-enhanced and marine support services provided that these uses:

- Improve the working waterfront and its character
- Do not interfere with the efficient operation of another water-dependent use
- Make beneficial use of a coastal location through siting and design to increase the public's enjoyment of the waterfront.

Applicability to Dobbs Ferry:

Dobbs Ferry should give favored treatment to water-dependent and water-enhanced uses with respect to capital programming for the Waterfront/Shoreline Area. Particular priority should be given to the improvement and maintenance of the current level of transportation infrastructure to access the waterfront, the parking lot at the waterfront, the train station, and pedestrian access within areas suitable for water-dependent and water-enhanced uses.

Through the Waterfront zoning district, Dobbs Ferry provides incentive mechanisms to encourage privately-owned water-dependent uses that provide public access to the waterfront. In addition, Dobbs Ferry should maintain a list of sites available for non-water dependent uses in order to assist developers seeking alternative sites for their proposed projects.

Policy 10.4

Allow water-enhanced uses, which complement or improve the vitality of water-dependent uses.

Explanation of Policy:

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 has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment and educational level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront. A restaurant that uses good site design to take advantage of waterfront views, or a performing arts structure that incorporates the shoreline as a scenic backdrop are two examples of water-enhanced uses.

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

The following criteria shall be considered when determining if a proposed water-enhanced use is appropriate at any of these locations:

- The use should be sited and operated so that it does not interfere with water-dependent uses.
- The use should be sited so that it does not interfere with River views from the waterfront, the downtown, and approaches to the River.
- The use should be sited in a manner that does not limit or eliminate future opportunities for expansion of a water-dependent use.
- The use should complement existing or proposed water-dependent uses and serve to draw more visitors to the waterfront, thus supporting the water-dependent uses.
- Whenever possible, the use should provide access to year-round activities.
- The activity should make beneficial use of a shoreline location through siting and design to increase public enjoyment of the waterfront by, at a minimum, providing good, safe access to the waterfront.

Applicability to Dobbs Ferry:

One of the most practical and publicly beneficial water-enhanced uses in the waterfront/shoreline area is the proposed development of a Riverwalk - a waterside linear trail that will allow park visitors to walk from the southern end of Waterfront Park to the northern boundary of Dobbs Ferry. (This is considered a water-dependant use.) This project will provide access to the waterfront while enhancing enjoyment of the River and complementing other activities in the area.

Other water-enhanced uses that would be appropriate for Dobbs Ferry's waterfront include cafes and other similar small scale commercial uses at 145 Palisade Street and the Chart House. These uses would be enhanced by proximity to the water-dependent activities and would increase the public's ability to enjoy the River while recreating, dining, and shopping.

Policy 10.5

Promote the efficient management of surface waters and underwater lands.

Explanation of Policy:

There is the potential for congestion, competition for recreational space, and mix of incompatible uses on water resources in Dobbs Ferry. This can degrade the water quality, natural areas, wetlands, and

wildlife habitats. It can negatively impact the public's ability to enjoy these resources. Future opportunities for economic growth and development may also be impacted by these issues, and thus result in the loss of tourism and economic growth opportunities.

Criteria to be considered when determining if a proposed water-dependent use is appropriate:

- Boat launch areas, fishing piers, public beaches, and surface water uses will not be sited so as to encroach upon water uses such as navigational channels.
- Avoid conflicts of use by careful consideration and analysis of the access for and uses taking place or planned on the water itself. The intent is to match water-dependent uses with the most suitable locations thereby reducing or eliminating conflicts between potential uses.
- Restrict the use of jet-skis and similar motorized equipment that create conflicts with adjoining land uses and marine uses by virtue of their noise, size, and speed.
- In selecting appropriate locations for water-dependent uses, consideration will be given to the availability of public sewers, public water lines, parking, pedestrian access, and access to roads for delivery and emergency vehicles.
- Native flora and fauna should be protected and encouraged in the Wickers Creek channelway including the outlet and adjacent Hudson shoreline areas.

Policy 11

Promote sustainable use of fish and wildlife resources.

Explanation of Policy:

Living resources play an important role in the social and economic wellbeing of the waterfront community. Dobbs Ferry is located in the heart of the Hudson Valley where the quality of fishing has diminished during the past fifty years due to upstream discharges of pollutants. However, fishing and bird watching along the River remain important activities in the waterfront revitalization area. The continued uses relating to fish and wildlife resources depend on maintaining the long-term health and abundance of marine life, wildlife, and their habitats. Allocation and use of the available resources must be consistent with the restoration and maintenance of healthy stocks and habitats and must maximize the benefits of resource use to provide valuable recreational experiences.

Sub-policies and policy standards relating to Policy 11 include the following:

Policy 11.1

Ensure the long-term maintenance and health of living water resources.

Explanation of Policy:

The following standards shall be adhered to, ensuring the maintenance and health of existing living water resources:

- Recreational use of living marine resources shall be managed in a manner that places primary importance on maintaining the long-term health and abundance of the resources and fisheries.
- Consider the protection of fish and wildlife habitats when new waterfront developments are proposed and existing developments are expanded.
- Promote responsible commercial and recreational uses and manage these uses in consultation with DEC and in accordance with DEC regulations, to reduce the potential for exploitation of water resources.
- Protect and restore fish and wildlife habitats wherever possible.
- Encourage and participate in DEC educational and management efforts to avoid introducing aquatic nuisance species such as zebra mussels, Eurasian watermilfoil, and Purple Loosestrife. Participate in the environmental review of State, local, or private projects proposed to control aquatic nuisance species.
- Provide the public with educational resources that foster awareness of all living water resources in the Hudson River.
- Consider identifying and removing encroaching generalist “weed” species. This could include trapping and removal of rats, which are very destructive to wildlife. Consider reestablishment of native species along Wickers Creek.

Applicability to Dobbs Ferry:

Many riparian ecosystems have the capacity for self-renewal if the sources of degradation are mitigated or eliminated. Severe erosion along the banks of Wickers Creek will necessitate a stream restoration project to restore the natural integrity of the creek and maintain the health of its resources. This project, recommended as a result of the 2001 Wickers Creek Bioassessment Study, will include an initial cleanup of non-vegetative debris, preservation of coarse woody debris in situ, a streambank restoration project, mapping of potential contaminants, and educational outreach about the importance of the creek and its watershed in both an ecological and cultural context. Additionally, the Village will need to develop a stormwater management plan that addresses the health of water and wildlife resources of its two major stormwater arteries - Wickers Creek and the Saw Mill River.

Policy 11.2

Provide for commercial and recreational use of fisheries.

Explanation of Policy:

Although this policy seeks to promote both commercial and recreational fishing, commercial sport fishing is an historic use on the Hudson River. However, its importance as an industry has significantly diminished since the EPA and DEC discovered significant concentrations of PCBs (polychlorobiphenals) in the Hudson River in the early 1970s. Except for a very few commercial fishing operations in the upper Hudson, fishing today in the Hudson occurs mainly as a recreational use with a “catch and release” recommendation. The "commercial" guidelines of this policy do not play a significant role in the Dobbs Ferry LWRP.

Recreational fishing guidelines include:

- Provide a valuable recreational experience.
- Protect public health from PCB and other contamination.
- Provide adequate infrastructure to meet the recreational needs including appropriate fishing piers, dockage, parking, and taxi cab services.
- Foster direct public recreational use of marine resources along shorelines, bays, and surface waters.

Applicability to Dobbs Ferry:

Regarding public health policy: New York State DEC public health advisories regarding consumption of fish from the Hudson River should be posted in local areas where fishing takes place, primarily at Waterfront Park. Updated advisories should be posted regularly.

Regarding infrastructure: Currently, the Dobbs Ferry waterfront has no infrastructure for recreational fishing and most fishing takes place from the rocks and walkways along the shoreline at Waterfront Park and at 145 Palisade Street. Any public or private redevelopment at the waterfront should include appropriate facilities and programs to promote recreational fishing in appropriate locations. These should include fishing pier/floating dock, bait vending (machine or shop), areas for sitting and dedicated parking. The Village Parks and Recreation Department will enhance its fishing program to include instruction programs and fishing derbies.

Policy 12

Protect the agricultural lands in the coastal area.

Explanation of Policy:

Policy 12.0 is not applicable to the Village of Dobbs Ferry as there are no agricultural lands present that it applies to.

While Policy 12.0 is not applicable, the Village would, however, like to encourage the development of a Farmer's Market at the Waterfront Park. Creating a retail outlet for locally grown foods helps to preserve regional agricultural activities. Small farmers in the Hudson Valley region need access to local markets in populated areas that are convenient to public transportation. Dobbs Ferry and the Historic Rivertowns of Westchester County also provide potential for access to farm fresh goods transported by boat.

Currently, the neighboring Villages of Hastings-on-Hudson and Tarrytown support weekly Farmer's Markets in the warmer months. The additional demand for these goods should be determined, however, before a Farmer's Market is pursued for Dobbs Ferry.

Policy 13

Promote appropriate use and development of energy and mineral resources.

The intent of this policy is to foster the conservation of energy resources in Dobbs Ferry.

Sub-policies and policy standards relating to Policy 13 are as follows:

Policy 13.1

Foster the conservation of energy resources.

Applicability to Dobbs Ferry:

Energy efficiency can be achieved through several means that fall into the jurisdiction of local governments. The conservation of energy should be an important part of prudent future planning in the Village of Dobbs Ferry. Energy saving measures will include the following:

- Monitoring of electricity, natural gas, and gasoline consumption by all Village-owned structures and vehicles, and encouraging all Village residents to do the same.
- Promoting an increased use of public transportation where practical and to the extent feasible.
- Integrating modes of transportation (pedestrian, bicycle, auto, and waterborne).
- Promoting energy efficient design in new developments, including the use of solar and wind energy, and landscaping for thermal control.

- Promoting greater energy generating efficiency through upgrades of existing public facilities.
- Retrofitting existing equipment (e.g. street and parking lot lighting) that is inefficient and wastes energy.

Policy 13.2

Promote alternative energy sources that are self-sustaining.

Explanation of Policy:

Self-sustaining alternative energy sources conserve the use of natural resources and help to preserve and improve water and air quality. Siting, development, and improvements of alternative energy facilities should avoid interference with sensitive aquatic and shoreline ecosystems, and wildlife habitats.

Applicability to Dobbs Ferry:

The Village of Dobbs Ferry should encourage energy conservation by:

- Use of renewable and non-polluting energy sources, e.g., passive solar, solar storage units, wind power, fuel cells, and electric cars, should be encouraged in municipal buildings, private homes, commercial buildings, public spaces, and industry.
- Researching alternative energy saving devices for use in a Village pilot program.
- Educating residents about State and federal subsidy programs for alternative energy sources in homes and cars.

Policy 13.3

Consider energy use and environmental impact in the siting of major energy generating facilities.

Explanation of Policy:

There is no demand for energy generating facilities at this time. However, the following standards shall be used to guide future decision-makers when siting new major energy generating facilities in Dobbs Ferry.

Major energy generating facilities may be sited in Dobbs Ferry where a clear public benefit is established using the following factors:

- There is a demonstrated need for the facility.
- The facility will satisfy long-term electric capacity needs or electric system needs.
- Alternative available methods of power generation and alternative sources of energy cannot reasonably meet the public need.

- Upgrades of existing facilities cannot reasonably meet the public need.
- The facility incorporates feasible public recreational uses.
- Major energy generating facilities shall be sited close to load centers to achieve maximum transmission efficiency.

Avoid the degradation of waterfront resources in Dobbs Ferry by siting new energy generating and transmission facilities so they do not adversely affect the following:

- Commercial navigation.
- Recreational fishing and associated support businesses.
- Significant habitats along the Hudson River and its tributaries.
- Habitats critical to fish and wildlife species, vulnerable plant species, and rare ecological communities.
- Shorelines, riverbanks and streambanks sensitive to erosion.
- Wetlands.
- Historic resources.
- Scenic resources.

Applicability to Dobbs Ferry:

The Millennium Pipeline, an underground compressed gas delivery system under the jurisdiction of the Federal Energy Regulatory Commission (FERC), is currently slated to run through Dobbs Ferry. The route proposed is directly under the South County Trailway along the Saw Mill River at Dobbs Ferry's eastern border. The pipeline will serve New York City and eastern Westchester County. The Village will join Westchester County in encouraging measures that will be protective of the Saw Mill River and the surrounding area during construction and operation of the pipeline.

A proposed alternative route for the Millennium Pipeline would run from the Piermont Marsh, under the Hudson River, to the area immediately adjacent to the mouth of Wickers Creek. The potential negative impacts of these two proposed routes on Dobbs Ferry's (and the region's) water and land resources, during and after pipeline construction, would be significant.

- Regarding the siting of major energy transport and generating facilities, the Village of Dobbs Ferry, assisted by the NYS Department of State Division of Coastal Resources, will work to enforce the public safety and environmental protection policies of the Federal Coastal Zone Management Act, the State Coastal Management Program, and the Dobbs Ferry LWRP Comprehensive Master Plan.

The Tenaco Gas pipeline that crosses the Hudson and meets the Dobbs Ferry shoreline at Nun's Beach just north of the mouth of Wickers Creek should be monitored by the appropriate agencies for leaks and deterioration that would cause adverse impacts on marine and shoreline natural resources.

Policy 13.4

Minimize adverse impacts from fuel storage facilities.

Explanation of Policy:

The following standards were derived from Environmental Conservation Law, Article 23, Title 17, and from Federal Safety Standards 40 CFR Part 193:

- Ensure that production, storage, and retention of petroleum products in Dobbs Ferry is done in accordance with DEC regulations.
- Liquefied natural gas facilities must be safely sited and operated.
- Natural resources must be protected by complying with local, county, and state oil-spill contingency plans.

Policy 13.5

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

Explanation of Policy:

This policy regulates mining, excavation, and dredging activities in Dobbs Ferry. Due to the disruptive nature of these activities and the environmental sensitivity of the area, caution must be exercised to ensure these activities do not adversely affect natural resources or disturb the human environment. The impact on visual resources is important since the waterfront area provides significant scenic views. Mining operations currently do not exist within and adjacent to Dobbs Ferry.

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, removing pollutants, and meeting other waterfront management needs. Dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important waterway resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation, and proper siting of the dredge spoil disposal site. Dredging is a New York State regulated activity. Permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25, and 34).

Application to Dobbs Ferry:

Dredging is not currently proposed for any waterbodies in Dobbs Ferry. Any mining, dredging or excavation efforts will be discouraged within the coastal area controlled by Dobbs Ferry, and activities that interfere with natural coastal process will not be allowed. However, any future proposals for dredging in the Hudson River that will potentially impact Dobbs Ferry's coastal areas must comply with State and federal regulations governing coastal waters.