

**SECTION 5**  
**TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM**

To achieve the objectives embodied in the policies, proposed land uses, and projects identified in Section IV, the Village of Haverstraw has identified the essential local techniques and actions needed to ensure program implementation. Part A describes the legislation necessary to implement the program. Part B describes the management structure proposed to coordinate the program. Part C identifies other necessary public and private actions. Part D indicates the financial resources needed and available to carry out the proposed actions.

**A. LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE PROGRAM**

The following laws and regulations, some of which are existing and some of which are proposed for revision as follows, are used by the Village to regulate land use and development activity in the coastal area and will be utilized in implementing the objectives of the LWRP:

**1. Zoning Regulations**

The zoning regulations for the Village of Haverstraw were adopted May 27, 1963, and readopted as amended May 17, 1972, with subsequent amendments thereto. The Zoning Regulations establish use districts and regulate the uses within these districts. The Zoning Regulations establish setback and density requirements, regulate the bulk and arrangement of buildings, the area of lots covered, the open spaces to be preserved, provision of off-street parking, access, drainage, accessory uses, fences, and walls, signs, lighting, screening and landscaping, swimming pools, and other similar issues normally regulated within zoning regulations.

In addition, the Village's Zoning Regulations contain within them site development plan approval provisions. These regulations require site development plan approval by the Planning Board subject to review by the Code Enforcement Officer prior to issuance of a building permit other than for a single-family residence or two-family residence or for structures accessory thereto, for construction or use in any zone.

The Village's Zoning Regulations currently divide the Village of Haverstraw into the following zoning districts:

|       |                              |
|-------|------------------------------|
| R-1   | First Residence              |
| R-IC  | First Residence Conversion   |
| R-1 T | First Residence Townhouse    |
| R-2   | Second Residence             |
| R-3   | Third Residence              |
| PRD   | Planned Residential District |

|     |   |
|-----|---|
| HB  | Highway Business  |
| CBD | Central Business District   |
| P0  | Professional Office   |
| SP  | Special Purpose   |
| WPD | Waterfront Planned Development  |
| (M) | Mountain Protection Overlay District (Note: This is an overlay district, and is subject to special regulations in the Zoning Code.) |

The boundaries of these existing zoning districts are identified on the Village's [Existing Zoning Map, Map 9](#).

The Village of Haverstraw's waterfront area is currently zoned SP, WPD, PT, and R-1. The remainder of the Village is zoned in accordance with the districts cited above.

A portion of the northern and southern most areas of the waterfront are zoned SP, Special Purpose Zoning District. This zoning district was created to permit public parks and recreational facilities, public schools, public and semi-public uses, and cemeteries. The SP zoned areas in the north include Bowline Pond and Bowline Point Park and the waterfront strip lining the pond owned by Southern Energy Utilities. There is also a portion of the Empire Chair Factory parcel zoned SP. The southern district borders the waterfront at the edge of the village. The Southern Energy property in the Village zoned P1 also borders Bowline Pond.

The Planned Industrial (PI) Zoning District permits the following selected uses: light industrial uses, research and development laboratories, offices, and automotive uses as-of-right. Heavier industrial uses including quarries, concrete plants, and bulk oil storage among other uses are permitted by special permit.

A residential parcel zoned R-1 in the southern portion of the Village, just south of the Tilcon Industries property, is adjacent to the Hudson River. While the R-3 zoned property at the southern end of Bowline Pond is mainly setback from the water by the waterfront strip owned by Southern Energy, which is leased to the Village, one portion zoned R-3 is directly adjacent to the water.

The R-1 R-2, R-3 and R-IT zoning districts are intended to permit the development of a range of residential housing types including single, two-family, and townhouses.

The CBD Zoning District is located along Main Street and West Main Street between Maple Avenue and Third Street, and between Main Street and Jefferson Avenue along Broadway. A small area extends just south of Main Street along Broadway, and there is an additional area along Maple Avenue, just south of West Main Street. The purpose of this zoning district is to serve as the primary retail and service center of the community and, as such, to provide employment for Village residents, essential goods and services, and a strong economic base. To enhance the commercial strength of this business district, the text will be amended to prohibit ground floor residential uses in the CBD District.

The Zoning Regulations of the Village are a significant tool in the implementation of the Village of Haverstraw LWRP. In order to satisfactorily implement the LWRP, the Village recognized that there would need to be some amendments to the Zoning Regulations in addition to the creation of the WPD District. These amendments, and the regulations of the WPD District, are described herein.

The purpose of the Waterfront Planned Development District (WPD) is to facilitate the design and development of a water-enhanced and water-related planned residential community with public and private water-related and water-enhanced recreational, open space and transportation amenities.

In addition to establishing the development parameters within which five development sites will be redeveloped to comprise a mixed-use waterfront neighborhood, these WPD regulations are intended to respect the fabric of existing surrounding waterfront uses to remain, as well as be compatible with the surrounding context of the Village of Haverstraw.

The bulk controls of the district are intended to permit flexibility of development on WPD zoned sites while establishing parameters, which are compatible with a Hudson River location and proximity to the Village's downtown.

All regulations of the WPD District including height, density and arrangement of buildings, are applied on an overall basis to the total area of the WPD District and will take place in accordance with a Concept Development Plan approved by the Village Board of Trustees.

The maximum proposed residential density for the district is approximately twenty-five (25) units per gross acre of land within the WPD District. Maximum building coverage is forty-five percent (45%) including accessory uses and structures. Building height is to be a maximum of sixty (60) feet except that the first row of buildings located adjacent to the planned promenade shall not exceed a maximum height of forty-three (43) feet. Roof structures that occupy a small portion of the roof area and not more than fifteen (15) feet in height shall be permitted. There is also a ten (10) foot minimum yard requirement and a minimum forty-five (45) foot setback from the water measured from the bulkhead or from the top of a sloping rip-rap wall, along no less than 80 percent of the land use area. (See [Map 10, Proposed Waterfront Zoning Amendments](#))

Additionally, the WPD District includes a further distinction in the height requirements, to assure maximum retention of sightlines, by requiring an analysis of sightline preservation as a part of site plan review.

Parking shall be provided in a combination of on-street and off-street parking facilities. At least 85 percent (85%) of the parking required for any use shall be located within the boundaries of the WPD District and the remainder may be located outside the district boundaries as long as they are within five hundred (500) feet of the uses they are intended to serve and are demonstrated to be under the control of the applicant for site plan approval.

In the WPD District, appropriate permitted and accessory land and water uses are identified. The revised zoning regulations are an appropriate means to implement the coastal policies outlined in the LWRP.

Application: These land use controls are necessary tools for implementation of the following policies: Development: Policies 1, 2, 4, 5, and 9; Public Access: Policies 19, and 20; Recreation: Policy 21.

## **2. Subdivision Regulations**

(Adopted by the Village Board June 8, 1970)

These regulations enable the Planning Board to establish standards for the division of land into building lots, the design and construction of improvements and the review of plans and specifications prior to subdivision approval.

Application: These regulations are particularly important to achieve the goals of the Development Policy 5; Flooding and Erosion Policies 14 and 17; Public Access Policies 19, and 20; Scenic Resource Policies 25; and, Water and Air Resource Policies 32, 33, 38 and 44.

## **3. Environmental Quality Review**

State law requires local governments to administer compliance with the State Environmental Quality Review Act. Adherence to SEQR procedures allows the "lead" agency to identify possible adverse impacts of proposed actions on any aspect of the physical environment at the earliest possible state and to recommend or require appropriate mitigation measures. This law provides an appropriate means of ensuring that local agency actions are consistent with coastal management policies.

Application: This law is necessary for implementation of the following policies: Development Policies 1, 5, and 6; Fish and Wildlife Policies 7 and 8; Flooding and Erosion Hazard Policies 11, 12, and 13; General Policy 18; Historic and Scenic Resources Policy 24; and, Water and Air Resources Policies 33 and 35.

## **4. Freshwater Wetlands**

State laws regulate tidal and freshwater wetlands. The Village will preserve and protect its tidal and freshwater wetlands to the maximum extent possible by informing the appropriate State and/or federal agencies concerning possible violations of these laws.

Application: This law is appropriate for implementing Fish and Wildlife Policies 7 and 8; Flooding and Erosion Policies 14 and 17; Water and Air Resource Policies 33, 34, 35 and 37; and, Wetlands Policy 44.

## **5. Flood Damage Prevention Law**

This local law requires permits for construction within flood hazard areas identified by the Federal Emergency Management Agency. By enacting such legislation, the community enables the property owners to be eligible for flood insurance and is entitled to federal aid in the event of a flood related disaster. Projects within the flood hazard area are reviewed to ensure that hazards from flooding are minimized through appropriate standards concerning construction techniques and materials, siting, and protection and maintenance of drainage areas. The law is administered by the Village Code Enforcement Officer. Appeals may be made to the Zoning Board of Appeals

Application: These regulations are used to achieve Flooding and Erosion Policies 11, 14 and 17.

## **6. Tree Removal Regulations**

These local regulations require a permit for removal of trees over eight inches in diameter measured at four feet above the ground except for additions or alterations to one or two-family homes which are exempt. These regulations enable the Board of Trustees to establish standards for the clearing of properties and the review of plans and specifications prior to permit approval to ensure that land clearing operations are safely conducted and potential adverse environmental impacts are minimized through appropriate standards concerning clearing techniques and protection and maintenance of drainage areas. The law is administrated by the Village Code Enforcement Officer. Applications are processed and referred to the Board of Trustees.

Application: These regulations are used to implement Recreation Policies Scenic Quality Policies 24, 25, and 25A.

## **7. Local Waterfront Consistency Law** (Local Law No. 4)

This Village law creates the Haverstraw Waterfront Advisory Committee and requires that all local boards, agencies and commissions consider policies and purposes contained in the Local Waterfront Revitalization Program when reviewing proposed actions in the Waterfront Revitalization Area and act consistently with those established policies and purposes.

The Village of Haverstraw Planning Board is empowered to review and make recommendations to Village agencies regarding the consistency of proposed actions with the Waterfront Revitalization Area. (See Appendix C.)

## **B. MANAGEMENT STRUCTURE TO IMPLEMENT THE PROGRAM**

### **1. Haverstraw Waterfront Advisory Committee**

It is the intention of the Village of Haverstraw that the revitalization of the Village take place in a coordinated and comprehensive manner that ensures a proper balance between the protection of natural resources and the need for economic development and revitalization. To monitor and coordinate the preparation of this Local Waterfront Revitalization Program, a Haverstraw Waterfront Advisory Committee (WAGWAC) comprised of concerned citizens and Village Board members has been established.

#### **a. Appointment and Composition**

Members are selected for their demonstrated knowledge, ability and commitment to serve the committee in the functions described below, and with due regard for maintaining among the membership a range of special aptitudes and expertise relevant to the committee's work.

WAC meetings are open to the public. The Committee maintains and distributes minutes of its proceedings. A majority of the members constitutes a quorum.

The Chairman of the WAC is the local official responsible for preparation of this LWRP.

#### **b. Functions and Power**

Specific Responsibilities for Implementation and Management - all Village boards, commissions and staff retain their present responsibilities. The WAC will exercise its advisory capacity to review and make recommendations to the Village Board on any matters within its jurisdiction during the preparation of this LWRP.

The WAC will continue to provide advice and guidance in the implementation of this LWRP to the Department of State and the Village Planning Board. The Planning Board in its capacity as the Coastal Consistency Board, will undertake consistency reviews and make determinations of consistency of projects with the policies of the LWRP.

The Planning Board also will continue to review and approve site plans for projects within the Village as a whole except will only make advisory recommendations to the Village Board regarding projects within the Waterfront Planned Development District.

The Planning Board will continue to review subdivision plans.

The Village Board has the authority to approve and fund (or secure funding for) specific improvements necessary to implement the LWRP.

The Planning Board will consult with other Village agencies on all appropriate matters relating to conservation, development or regulations in the Waterfront Revitalization Area and, where appropriate, make recommendations to responsible agencies to assure consistency with the LWRP.

**2. Procedures to Assure Local Actions Comply with the LWRP**

Any agency, private group or individual proposing an action within the coastal area will be asked to refer the proposal to appropriate agencies to ensure that the Planning Board has an opportunity to review the proposed action. This procedure will assist the Planning Board to determine whether or not proposed actions are consistent with the Village's coastal policies as presented in the LWRP. Actions that are consistent with the LWRP will be recommended by the Planning Board to the responsible agency for approval and those that are inconsistent will be so indicated and recommended for modification or disapproval unless:

- a. No reasonable alternatives exist that would avoid or overcome any substantial hindrance to the achievement of such policies;
- b. The action will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable;
- c. The action will advance one or more of the other coastal policies; and
- d. The action will result in an overriding local, regional or statewide public benefit.

Each Village agency, including the Village Board, has been issued a copy of the LWRP and will be instructed to refer all development, regulatory, review or public Improvement actions within or affecting the coastal zone to the Planning Board.

The Planning Board will review actions for consistency with the LWRP and comment to the initiating agency within a designated period (approximately 30 days - short enough not to impede action, but long enough for the Planning Board to receive and consider necessary information).

**3. Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in Effect**

See Appendix F

**4. Procedural Guidelines for Coordinating NYS Department of State (DOS & LWRP Consistency Review of Federal Agency Actions**

See Appendix G

## **C. OTHER PUBLIC AND PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP**

In addition to the local laws and regulations identified above, a number of other public and private actions will be necessary to implement the Village's LWRP.

### **1. Proposed Projects**

The Village has identified a number of improvement projects designed to address and implement many of the LWRP Policies outlined in Section III. These projects are discussed in detail in Section IV. The projects seek to:

- restore and revitalize underutilized waterfront sites and the downtown area;
- improve existing public recreation facilities and provide additional public access and recreational opportunities to the waterfront and other areas of the Village;
- link public sites along the waterfront and throughout the Village; and
- protect and improve the village's natural resources.

In implementing these projects the Village will seek to develop a full range of public/private partnership. Actions necessary to implement these projects are discussed in Section IV.

### **2. Hudson River Valley Greenway**

The Village of Haverstraw LWRP, through its policies and proposed projects, furthers the goals of the Greenway Communities Council and the Greenway Heritage Conservancy for the Hudson River Valley. The Hudson River Valley Greenway encourages compatible economic development while preserving the resources and natural beauty of the Hudson River Valley—one of the main objectives of the Village's LWRP. As such, the Village of Haverstraw has identified the Hudson River Valley Greenway Communities Council and the Greenway Conservancy for the Hudson River Valley as important partners in the implementation of the Village's LWRP.

The Village has incorporated the five basic criteria identified as the basis for attaining the goal of a Hudson River Valley Greenway within the policies, proposed land use, and proposed projects outlined in the Village of Haverstraw LWRP. These criteria are: (1) natural and cultural resource protection; (2) regional planning;(3) economic development; (4) public access and; (5) heritage environmental education.

This means that the Village of Haverstraw LWRP should be acceptable as the Village of Haverstraw's local greenway plan, allowing the designation of the Village of Haverstraw as a participating "Greenway Community." The Village of Haverstraw LWRP should form the basis of the community's planning input into the sub-regional Greenway Compact planning process.

One of the main objectives of the Hudson River Valley Greenway is to promote public access to the Hudson River, with a goal being the creation of a trail from the City of Troy to Manhattan along the Hudson River. The Village of Haverstraw will work with the Trail Coordinator of the Greenway Conservancy for the Hudson River Valley to develop and further the access projects contained in the Village of Haverstraw LWRP and to insure their inclusion as part of the designated Hudson River Valley Greenway Trail system and the Hudson River Waterway Trail.

### **3. Historic Preservation and Revitalization Programs**

#### Recognition of Historic Resources

- a. A historic preservation survey should be conducted in cooperation with the State Historic Preservation Officer. Eligible resources and potential historic districts will be nominated to the National Register of Historic Places.
- b. Design guidelines are being drafted for historic and scenic areas describing appropriate design and restoration techniques and compatible development based on a detailed analysis of existing architectural styles and other elements that contribute to the historic character and scenic quality of the area.

The design guidelines should recommend color, materials, finishes, textures, facade, shapes, landscaping elements, signage, architectural details, paving, appropriate scale, and fences.

The guidelines could be used by local property owners and the Planning Board and Architectural Review Board prior to approving new developments or additions.

### **D. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP**

Financial resources in varying amounts are required to implement the three types of actions in the LWRP--legal, administrative and physical projects. Resources necessary for the first two categories are relatively small and can be included in normal annual budget allocations. While the list of physical projects has been intentionally limited to those of highest priority, several are beyond the normal financial capacity of the Village. Although the Village will take the lead in the implementation of the LWRP, it is unlikely that the village will be able to provide the necessary financial resources to implement any of these physical projects without seeking financial assistance from other entities or as part of a public/private partnership.

Section VI indicates various State and federal programs which may affect implementation of the LWRP, including some potential funding sources for specific physical projects. However, it is recognized that such funding is limited and competitive. The Village will work closely with the New

York State Department of State, Division of Coastal Resources and Waterfront Revitalization, to identify possible funding sources. Possible funding sources to implement projects may include, but are not limited to:

- Rockland County Industrial Development Agency
- EQBA - Environmental Quality Bond Act
- Private developers, as part of a development
- Private donations
- New York State Department of Environmental Conservation (NYS DEC)
- Hudson River Foundation
- Open Space Institute
- Hudson River Estuary Grant Program
- The Hudson River Valley Greenway Community Council & Greenway Conservancy
- New York State Office of Parks Recreation and Historic Preservation (NYS OPRHP)
- New York State Department of State (NYS DOS)
- Heritage Task Force
- Earmarked highway funds and any other discretionary transportation funding from NYS
- New York State Clean Water/Clean Air Bond Act
- New York State Environmental Protection Fund
- ISTEA Transportation Enhancement Program and Hazardous Rail Crossing Program
- New York State Council on the Arts
- Hudson River Improvement Fund
- Local sponsorship projects (from the local business community)
- HUD programs such as CDBG, Section 108, EDI and BEDI - may be a source of funding for the esplanade park (shoreline restoration, environmental clean-up), continued revitalization of Main Street and other Village improvements
- New York State Brownfield Opportunity Areas Program (NYS DOS)
- Environmental Restoration Program (NYS DEC)
- Environmental Protection Agency (EPA), Brownfield's Pilot Program
- Congressional allocations for intermodal transportation needs (parking garage), and transportation improvements.

A key element in building the necessary financial resources is the availability of a local match from the Village. This match is essential in leveraging public or private sector money. The local match can be achieved through: direct funding by the Village; the provision of equipment, supplies, materials or Village public works labor; donated professional services or; the use of volunteers and staff time to provide a monetary equivalent. It is also advantageous to try to link LWRP project implementation to other capital improvement work that is going on within the Village, such as a development proposal or public works project, stretching the benefits of limited public funds while achieving multiple objectives.