

APPENDIX B

PLANNED WATERFRONT DEVELOPMENT ZONING DISTRICT

Town of North Greenbush

Shuster Associates

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ARTICLE XVI

PLANNED WATERFRONT DEVELOPMENT
DISTRICT

A. Purpose

To encourage a mix of water dependent and enhanced uses which benefit from or take advantage of proximity to the river. Development of these uses will be subject to standards and a review process which provide that: (1) environmental features, including steep escarpments and ravines, wetlands, riverflats, and indigenous vegetation are protected and (2) opportunities for public access to the riverfront are retained and enhanced.

B. District Boundary

The district shall include all lands within the Town between the eastern shore of the Hudson River and the 150 foot contour line or a line 2,000 feet from the eastern shore, whichever is closest to the shoreline, as shown on the Zoning Map.

C. Uses

1. Uses Permitted by Right

The following uses are permitted by right upon approval of site plans in accord with the standards and procedures set forth below:

- a. Marinas, boat launches, docks and similar public and private recreational uses.
- b. Facilities for the transfer of passengers between water borne transportation and other means of transportation.
- c. Hotels, conference centers, offices, restaurants and supporting facilities.
- d. Cultural, educational and scientific uses.

- e. Navigational aids and shoreline protection structures.

2. Uses Permitted Subject to a Special Permit

The following uses are permitted subject to issuance of a special permit by the Zoning Board of Appeals, subject to the criteria set forth in F. below:

- a. Residential uses.
- b. Uses not listed in 1. above which support or are deemed appropriate as part of the total site development master plan.

D. Development Standards

1. No structure shall exceed 40 feet in height except that structures up to 80 feet may be permitted if the distance from the river's edge is at least three times the height of the structure and the Town official responsible for fire prevention certifies that the Town has appropriate equipment to provide adequate fire fighting services for such structures.
2. All structures shall be set back at least 40 feet from the river's edge except for those structures which are associated with water dependent uses as defined in the Town of North Greenbush Local Waterfront Revitalization Program.
3. Total coverage by roads, roofs tops, parking lots or other impermeable surfaces shall not exceed one-third of the gross site area of all lands west of the railroad held in single ownership on the effective date of this local law. This ratio shall be maintained regardless of future subdivision of the site.
4. With the exception of one access road and related improvements no permanent structure shall be located in any area where the average grade for a distance of 50 feet exceeds 10%.
5. Parking shall be provided in accord with the following standards:
 - a. Marinas: two spaces for every three slips.
 - b. Hotels and Conferences Centers: 1.5 spaces per room.
 - c. Residential: 1.5 spaces per dwelling unit.
 - d. Uses not listed: based on analysis of the specific use and its traffic generating characteristics.

- e. Joint Use of Spaces: In the case of two or more uses located on the same site, the sum of the space required for all uses individually may be reduced to an amount no less than 125 percent of the largest number of spaces required by any single use, upon a determination by the Planning Board that such a reduced amount of parking space will be adequate to serve all uses on the lot due to their different character and hours of operation.
6. No sign shall be visible from beyond the site with the exception of one, unlighted, sign not to exceed twenty square feet in area or ten feet in height.

E. Site Planning and Design Guidelines

Site plans for all uses shall be required in accord with the provisions of Chapter 97A, Site Plan Review and Approval, of the Town Code.

In its review of site plans, the Planning Board shall consider the following guidelines:

1. The location, design, color and materials of buildings should be such as to minimize their visibility from the river and the opposite shore.
2. Existing vegetation should be preserved to the greatest extent feasible where it provides natural screening, contributes to wetland or wildlife resources or is a significant or unusual species. New plantings should be indigenous and blend with vegetation to remain and should be used to maintain the natural, informal aspect of the site.
3. All utilities shall be placed underground to the maximum extent feasible.
4. Lighting should be spaced, shielded and directed to minimize glare and visibility from the river and the opposite shore.
5. Marina design should consider prevailing winds and navigation patterns, include at least one boat launching facility and utilize natural vegetation and existing waterways as appropriate to minimize disturbance along the river shore. Marinas shall be designed to maintain proper circulation and flushing and avoid creation of "dead" areas. Marine sanitation pumpout facilities shall be provided in any marina; rest rooms available to the public shall be provided in any marina open to the general public.

6. A public walkway shall be provided from the Town Park through the site to the City of Rensselaer line. Such walkway shall be within a 30 foot easement generally located between the developed portion of the site (buildings and parking lots) and the water's edge, shall be integrated with natural features such as mature vegetation and wetlands, and shall provide opportunities for views to the river and the wetlands. Walkways shall be screened from adjacent service areas, shall be suitably surfaced for pedestrian use and shall be provided with benches and observation points at appropriate locations.

F. Criteria for Special Permit Uses

In addition to the criteria set forth in §116-61, the following criteria shall apply to uses listed in paragraph C.2. above.

1. All uses permitted subject to a special permit shall comprise no more than 20% of the gross occupied floor area on the site at any time.
2. Any use not specifically listed as permitted by right shall only be allowed upon a finding that it is integrally related to other site uses, consistent with the purpose of this district and conforms to the schematic master plan for the site.

G. Environmental Review

No site plan shall be approved for any uses which will result in cumulative development in the district exceeding 5,000 square feet of floor area or 25 parking spaces until the following actions have been completed:

1. A schematic site master plan has been prepared for the entire site held in single ownership on the effective date of this local law indicating the approximate size, height and location of structures, systems of vehicular and pedestrian circulation and parking, the location and general character of open space and recreation facilities, and the general design and location of utility systems. The purpose of the schematic master plan is to provide a sufficient basis for evaluation of potential environmental effects as required in 2. below. It is not intended to be a detailed design but, rather, to establish the basic parameters within which future detailed design and development will take place.
2. A Generic Environmental Impact Statement (GEIS) shall have been prepared based on the schematic site master plan and including at least the following elements:
 - a. An analysis of the impact on the wetlands and wildlife habitats, including plans to restore and/or enhance existing features, and measures to mitigate identified impacts.

- b. Analysis of the visual impact of development as viewed from the Hudson River and the opposite shore.
- c. Evaluation of the impacts of site disturbance, drainage patterns, erosion protection measures, and site maintenance and usage on water quality in the river.
- d. Analysis of the impacts of road construction, drainage improvements and vegetation removal on the unstable soils of the steep slopes above the river and mitigation measures to prevent adverse impacts.