

SECTION V

TECHNIQUES

FOR

LOCAL IMPLEMENTATION

OF

THE PROGRAM

V. TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

This section describes the local techniques--legal, administrative, managerial and financial--required to carry out the LWRP.

Part A describes local legislation which will help to implement the program. Part B sets forth specific implementing actions. Part C describes the management structure to coordinate the program. Part D indicates the financial resources needed and, where possible, available to carry out specific proposed actions.

A. LOCAL LAWS AND REGULATIONS

1. Existing Laws and Regulations

The following existing laws and regulations are used by the Town to regulate or review land use and development activity in the waterfront area:

Chapter 51. "Building Construction," adopted by the Town Board in August 1965, reaffirming the applicability of the NYS Building Construction Code in the Town and providing for a Building Official empowered to enforce the State Code and all other applicable laws, ordinances, rules and regulations relating to construction in the Town of North Greenbush.

Chapter 65. "Environmental Quality Review," Local Law No. 2-1977, adopted by the Town Board to locally implement Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) in accordance with the provisions of Part 617 of Title 6, NYCRR.

Chapter 70. "Flood Damage Prevention Law, Town of North Greenbush, New York," Local Law No. 2-1980, adopted by the Town Board in compliance with the requirements of the National Flood Insurance Program. As discussed in Section III, this local law provides uniform standards and review procedures for building construction, site improvements, and utility installations within special flood hazard areas. This law applies to virtually all of the area in the river flats.

Chapter 73. "Freshwater Wetlands Protection Law of the Town of North Greenbush, New York," Local Law No. 4-1976, adopted by the Town Board to exercise its authority pursuant to Article 24 of the New York State Environmental Conservation Law. As also discussed in Section III, all regulated activity within any freshwater wetland or adjacent area is subject under this Local Law to permit approval by the Town Planning Board, after review and recommendation by the "Environmental Council," as

established by the Town Board in August 1978 and provided for in Chapter 5 of the Town Code. This law applies to wetland area TS-105 on the final wetland maps filed for Rensselaer County.

Chapter 97A. "Site Plan Review and Approval Law," Local Law No. 3-1981, adopted by the Town Board, and requiring site plan review and approval by the Planning Board prior to "issuing of building permits for construction in the BN - Neighborhood Business, BG - General Business, or IG - Industrial Zoning Districts" or for "buildings to be occupied or used by governmental, institutional, fraternal and religious organizations, no matter where located." This law now applies only to a small portion of the waterfront area where the 'IG' District extends within 2,000 feet of the river.

Chapter 116. "The Comprehensive Zoning Law of the Town of North Greenbush, New York," Local Law No. 1-1976, adopted by the Town Board as a comprehensive amendment to Local Law No. 2-1971, and from time to time amended since 1976. This Local Law divides the Town into zoning districts and provides uniform regulations regarding land use and development standards within each zoning district. Current zoning designations in the waterfront area are 'AR'- Agricultural and Residential and 'IG' Industry.

Chapter A120. "Land Subdivision Regulations, Town of North Greenbush, New York," adopted by the Planning Board and approved by the Town Board in May 1976 as a comprehensive amendment to land subdivision regulations in effect within the Town since 1964.

Chapter 63. "Dumps and Dumping," regulates dumping and waste disposal throughout the Town.

2. Additional Legislation Adopted

The following legislation is required either to provide the administrative framework for implementing the LWRP or to establish specific regulations to ensure that coastal policies are implemented.

a. Local Consistency Law

A local law was enacted by the Town to require that all local boards, agencies, commissions and departments act consistently with the policies established in the LWRP.

b. Zoning Amendments

- (1) An amendment to the Zoning Law created a Planned Waterfront Development District to establish standards and criteria for the development of the land along the river owned by RPI. (See Appendix B and Maps 7 and 10).
- (2) Rezoning the lands at the end of Glenmore Road for industrial use, as included in the Land and Water Use Plan. Action on this change will be deferred until alignment of the new Route 9 connector has been agreed upon.

c. Site Plan Review

The Site Plan Review Law was amended to include development in the Planned Waterfront District as requiring site plan approval and to include the standards of best management practices to control erosion and sedimentation.

B. OTHER ACTIONS

Development of the Waterfront Park and related recreational facilities in the waterfront area requires development of the proposed waterfront access road. Although this road is on RPI property and will primarily serve its future use of the area, cooperation between the Town and the owner is required in view of the joint uses proposed. Design, scheduling and agreement as to joint public-private participation and maintenance should be initiated as soon as possible.

C. MANAGEMENT STRUCTURE TO IMPLEMENT THE PROGRAM

A small Waterfront Advisory Task Force was formed to evaluate the problems, and possibilities facing the waterfront area. Upon adoption of the LWRP, however, its task was completed. The continued responsibility to monitor and coordinate implementation of the Local Waterfront Revitalization Program was assumed by the Town Board, through the Supervisor, as chief administrator. The Board will require the advice and assistance of the Planning Board and other involved agencies as appropriate to accomplish the following tasks:

1. Establish implementation priorities, work assignments, timetables, and budgetary requirements of the program.
2. Review applications for coastal development permits, zoning changes, subdivision and public works projects in the waterfront area and advise the appropriate agency.

3. Make application for funding from State, federal, or other sources to finance projects under the LWRP.
4. Maintain liaison with related Town bodies, including, but not limited to, the Planning and Zoning Boards, and with concerned non-governmental bodies, in order to further the implementation of the LWRP.
5. Evaluate in timely fashion proposed actions of State agencies within the coastal zone in order to assure consistency of such actions with policies of the LWRP, advise the Board of any conflicts, and participate in discussion to resolve such conflicts.
6. Review proposed federal actions referred to it by the Department of State and advise the DOS as to its opinion concerning the consistency of the action with local coastal policies.
7. Develop and maintain liaison with neighboring municipalities, and with county agencies.
8. Perform other functions regarding the coastal zone as may be appropriate from time to time.

The Town Board will be responsible for initiating and coordinating actions necessary to implement the LWRP and determining consistency of local, state and federal actions with the policies of the LWRP.

D. FINANCIAL RESOURCES TO IMPLEMENT THE LWRP

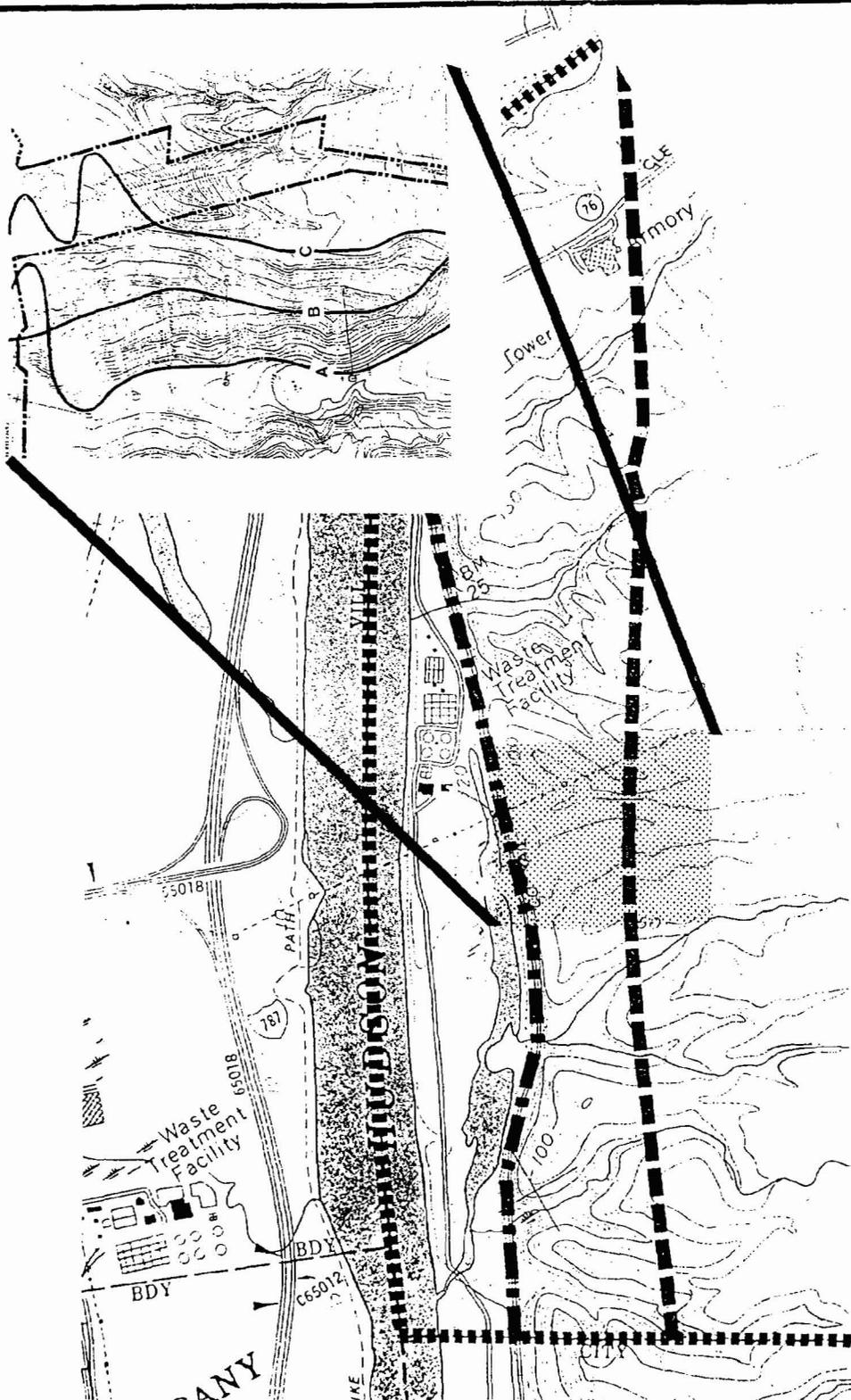
Financial resources in varying amounts are required to implement the three types of actions in the LWRP--legal, administrative and physical projects. Resources necessary for the first two categories are relatively small and can be included in normal annual budget allocations.

Although the list of physical projects has been intentionally limited to those of highest priority, several are beyond the normal financial capacity of the Town.

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 competition for available funds is intense.

E. REVIEW OF PROPOSED STATE AND FEDERAL ACTIONS

The Town will review proposed State and Federal actions within the waterfront area in accordance with procedures established by the New York State Department of State. Such procedures are set forth in Appendix C.



Proposed Waterfront Access Road

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LOCAL WATERFRONT REVITALIZATION PROGRAM
TOWN OF NORTH GREENBUSH
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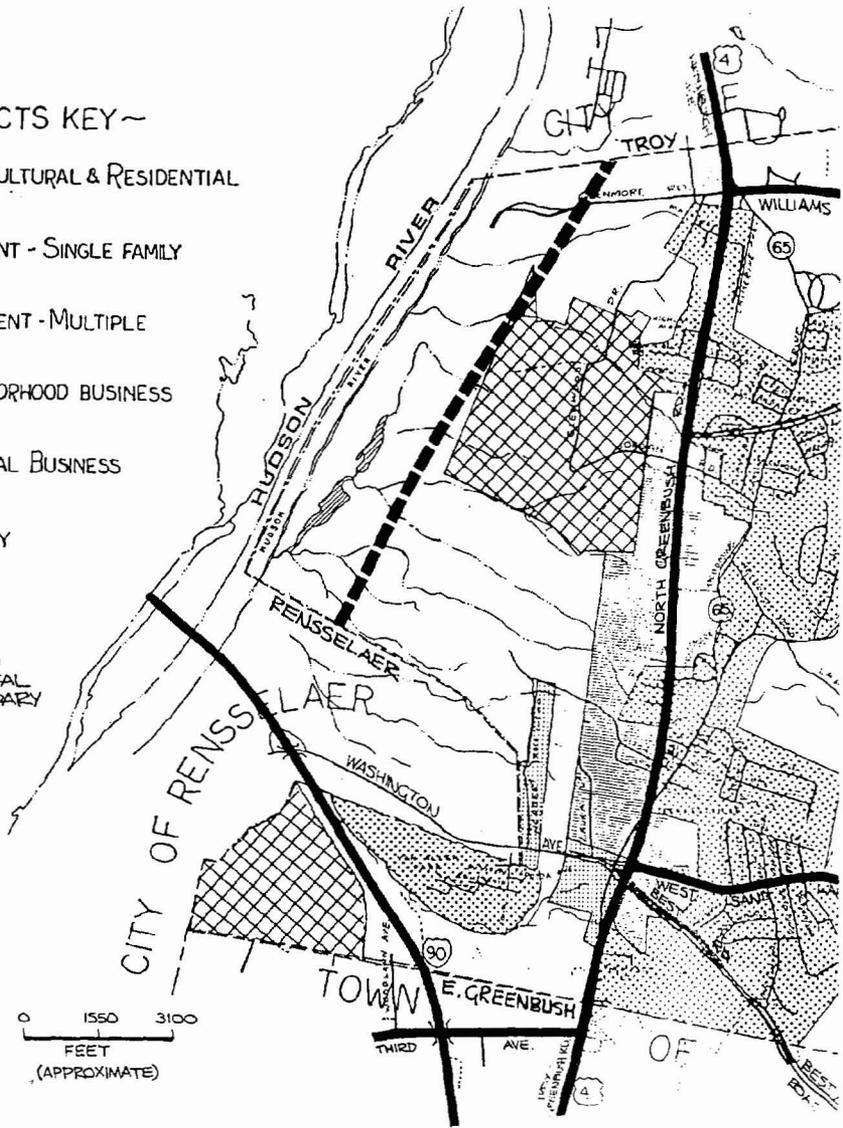
ZONING DISTRICTS KEY~

-  AR AGRICULTURAL & RESIDENTIAL
-  RS RESIDENT - SINGLE FAMILY
-  RM RESIDENT - MULTIPLE
-  BN NEIGHBORHOOD BUSINESS
-  BG GENERAL BUSINESS
-  IG INDUSTRY

 PROPOSED COASTAL BOUNDARY



0 1550 3100
FEET
(APPROXIMATE)



Existing Zoning

LOCAL WATERFRONT REVITALIZATION PROGRAM

TOWN OF NORTH GREENBUSH

Shuster Associates

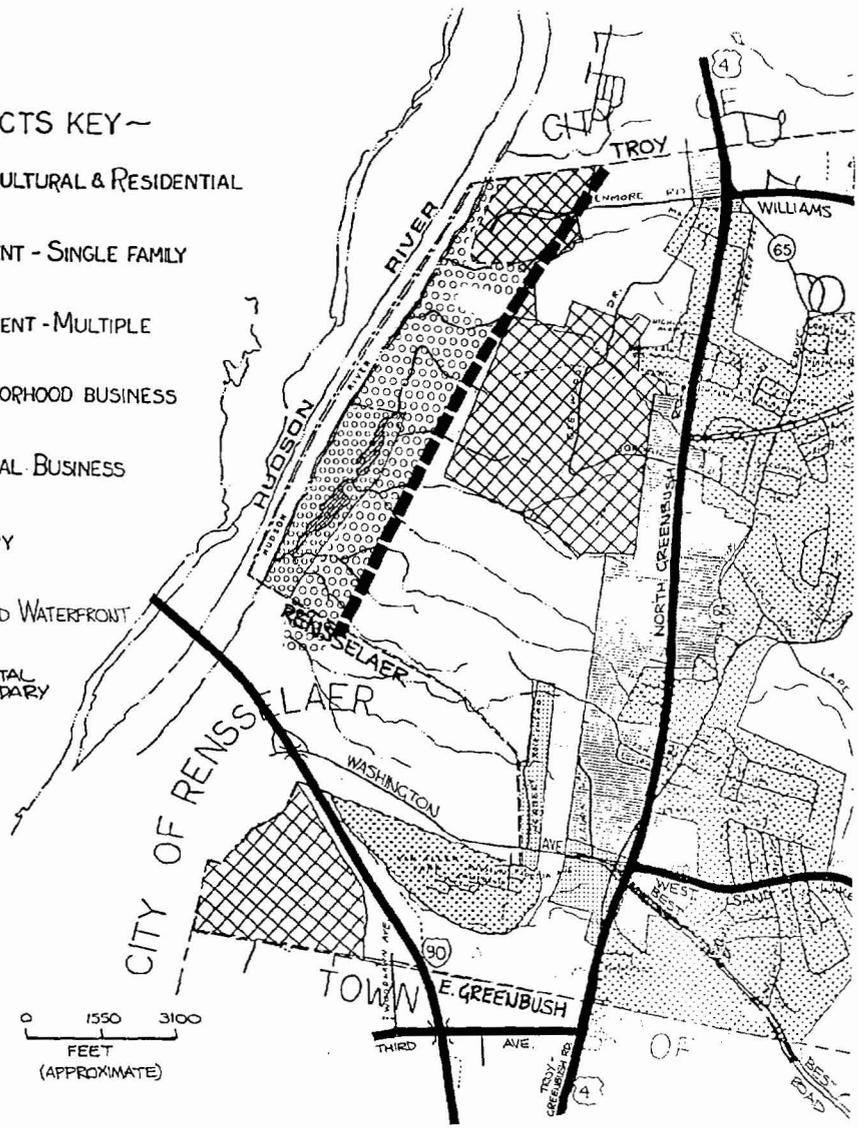
Planning Consultants

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Proposed Zoning

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