

Section V Techniques for Local Implementation of the Program

A. Local Laws and Regulations Necessary to Implement the LWRP

1. Existing local laws and regulations

The following Local Laws, Codes and Regulations are all part of the Village of Ossining's Code of Ordinances.

a. **Appendix C: Subdivision Regulations**

- (i) The Village's subdivision regulations cover site conditions including slopes and storm water drainage systems, utility systems including sanitary waste disposal, design standards, including land use standards, and preservation of the natural features and public improvements on properties being subdivided.
- (ii) Where they apply, these regulations affect many of the waterfront policies with special emphasis on the development, flooding, scenic quality and water and air policies.

b. **Appendix B: Zoning Law, Chapter 270**

- (i) The Village's Zoning Law controls the use of all parcels within the Village (see [Map 17](#)). All construction requires action by one or more of the following entities: the Building Department, the Planning Board, the Zoning Board, the Historic Preservation Commission and the Board of Architectural Review. Zoning changes need the approval of the Village Board. In addition, site plans are reviewed by the Planning Board prior to application for a building permit.
- (ii) Among the stated purposes of the Zoning Law are: the encouragement of flexibility in the design and development of land in such a way as to promote the most appropriate use of lands, to facilitate the adequate and economical provision of streets and utilities and to preserve the natural and scenic qualities of open lands. It controls the type and location of development, the density of development, and the height, size and bulk of new structures. The zoning law will implement LWRP development and recreational

policies by specifying type of land use; it will implement the policies having to do with fish and wildlife, flooding and erosion, public access, scenic quality and water and air resources, by controlling not only the type of land use, but its density and the siting of buildings.

Some zoning sections of special interest to the LWRP are described below:

Planned Residence District (Section 270-12)

- (i) This district covers areas of Ossining's waterfront which are characterized by attractive natural features and views to the Hudson River and western Palisades. The district provides for single and two-family residences, related non-residential uses and certain conditional uses. Conditional uses are subject to site plan review. Clustering is encouraged here so as to preserve natural features such as wetlands, major stands of trees, steep slopes, ridgelines and other significant geologic features and views. Building height is limited to 2.5 stories, except in the PRD parcels that abut the Western side of Hudson Street, where the building heights of attached buildings can increase to not more than 10 ft above the western curb of Hudson Street.
- (ii) The provisions of this district will implement the LWRP in that they will allow for development while at the same time retaining much of the attractive natural character of the areas covered by the district. Height limitations will protect views to and from the river.

Office Research District (O-R) (Section 270-18)

- (i) The Office Research District covers extensive areas in the northern portion of the Waterfront Area. In this district the intention is to allow for offices and commercial research laboratories,, senior living facilities, hotels and conference centers.

All uses in the district are subject to site plan approval. Because the areas covered by the O-R district are similar to those of the Planned Residence District, development sites are to be landscaped and projects are to be designed to preserve the natural features of the site including water bodies, wetlands, steep slopes, hilltops, ridgelines, views to and from the Hudson River, major stands of trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value.

- (ii) Similar to the PRD District, the O-R District serves to implement the LWRP by allowing for development of a moderate level, while at the same time protecting the natural features which remain in the areas covered by the district.

Development District (Section 270-19)

- (i) This district covers areas of Ossining's waterfront which remain essentially undeveloped and which are characterized by attractive natural features and views to the Hudson River and western Palisades. The district provides for low density residential, low intensity non-residential uses and certain conditional uses. Conditional uses are subject to site plan review. Clustering is encouraged here so as to preserve natural features such as wetlands, major stands of trees, steep slopes, ridgelines and other significant geologic features and views. Building height is limited to 4.0 stories.
- (ii) The provisions of this district will implement the LWRP in that it will allow for development while at the same time retaining much of the attractive natural character of the areas covered by the district. Height limitations will protect views to and from the river and promote preservation and creation of public open space, green building and RiverWalk trails through incentives.
- (iii) The zoning for this district would require open space and allow for smaller multiple story buildings in order to make cluster development possible. It would also encourage preserving the area's unique, natural environmental features by not allowing wetlands to be considered developable land and minimizing development on steep slopes and having a lower permitted density than the rest of the waterfront districts.

Riverfront Development District (RDD) (Section 270-22)

- (i) This district applies to those areas of Ossining's waterfront west of the railroad tracks paralleling the Hudson River. This district encourages protection of existing water-dependent uses and development of a broad mix of new uses, including water-dependent and enhanced recreational uses as well as other commercial, recreational and residential uses. All uses are subject to site plan review. Developments are to be designed to maximize views of the river, and building heights are limited to 3 stories. The zoning for this district provides:
 - Maximize opportunities for waterfront recreation and parks, and for the construction of portions of RiverWalk;
 - Restrict the heights of new buildings to not extend higher than 3 stories;
 - Setback new buildings from the river to minimize flood conditions;

- Orient new buildings to preserve and provide views towards the Hudson River and Palisades;
 - Encourage reuse of historic buildings such as the Mobil Oil warehouse; and
 - Allow for a mix of commercial, residential and recreational uses.
- (ii) The provisions of this district will implement the LWRP in that they will allow for development while at the same time promoting water-related uses and public access to the waterfront. Height limitations will protect views to and from the river.

To facilitate revitalization of the Downtown Waterfront the Village also established a new overlay in the previously WD-1, now RDD zone, where uses are subject to special permit approval entitled “Planned Waterfront and Railway Development” (“PWRD”) and to establish, among other things, design standards and bulk and area requirements for such use. In order to encourage the revitalization of this area and fulfill the goals of the LWRP in creating maximum open space, meaningful public access and intensive mixed-use, additional height, up to a maximum of 100 feet and additional density, up to a maximum net density of 48 units per acre for residential uses, will be permitted under the PWRD special permit use so long as the proposed use meets all the criteria set forth in the PWRD. This PWRD use must have, among other things, a minimum site area of 3 acres, with frontage on the Hudson River, be within 500 feet of a railroad station, provide for unrestricted public access to the waterfront with all buildings designed to reduce impacts on views both to and from the Hudson River to the maximum extent practicable.

Planned Waterfront Subdistrict (PW-a) (Section 270-23)

- (i) The Northern Waterfront zone lies in primarily industrial, low-lying area just east of the railroad tracks between the tracks and Water Street. The area relies solely on Water Street for access. The zoning limits heights to protect the views from the neighboring property owners located on the Plateaus set approximately 65 feet above Water Street. Some of the industrial buildings in this area have historic significance including extant buildings from the Brandreth Pill Factory Complex on the North Water Street Extension and the zoning provides incentives for their protection. The industrial buildings are on the National Register. Access to this area is narrow and steep. The zoning for this district:
- Allows for a mix of commercial, residential and recreational uses and discourages industrial uses.

- Regulates heights of buildings so as not to obstruct views of the Hudson from the plateaus.
 - Encourages the reuse of historic buildings including the Brandreth Pill Factory.
- (ii) The provisions of this district will implement the LWRP in that it will allow for mixed use development while at the same time limit heights to protect views to and from the river from the surrounding plateau areas and promote preservation and creation of public open space, greenbuildings and historic preservation through incentives.

Planned Waterfront Subdistrict (PW-b) (Section 270-23)

- (i) This district includes the Ossining Metro-North Station, the Hudson Wire Building, former Department of Public Works, Metallized Carbon and the Sing Sing Kill. Steep hills lead from the Crescent business area down to the railroad tracks. Portions of the area are low-lying and tend to flood. Currently, the type and amount of development near the Metro-North Station does not contain the density nor the land uses to take significant advantage of the transit services. The zoning for this district:
- Takes advantage of its location adjacent to the train station by increasing densities and decreasing parking requirements. (Any new development should market accessibility to transit and views);
 - Limit heights of new buildings to be contextual with adjacent, existing architecture except when topography allows for greater heights that will not obstruct view corridors, but will provide expansive views of the Hudson;
 - Allows for greater densities than in other areas of the waterfront as long as the design of any project adapts to the steep slopes that are present there; and
 - Encourages partially below-grade parking on ground floors in areas that are prone to flooding.
- (ii) The provisions of this district will implement the LWRP in that it will allow for more dense development while at the same time promoting public park creation, green building and remediation through incentives. It also directly supports the provisions of the LWRP policies having to do with revitalization of deteriorated waterfronts, visual quality and water and air quality by providing new development. This zone promotes transit oriented development by being located next to the transportation hub of the Village and by its residents being able to utilize the train and bus transportation, which will reduce dependency on cars commuting to and from work as well

as to downtown Ossining. Height limitations and contextual architecture will protect views to and from the river.

Planned Waterfront Subdistrict (PW-c) (Section 270-23)

- (i) The Hillside zone is a steeply sloped area located generally south of Main Street running between Hunter Street starting at lot 97.07-1-51 and State Street north of James Street with the exception of lot 97.07-2-22. The area sits on a ridge which offers panoramic views of the Hudson River and Hudson Palisades. The parcels are generally larger than those in the surrounding residential neighborhoods, but the location is not quite appropriate to be a part of the central business district like the downtown Crescent area. The zoning for this district:
- Includes mixed use as part of any development in this zone; and
 - Protects view corridors by limiting heights.
- (ii) The provisions of this district support LWRP policies having to do with revitalization of downtown and visual quality while preserving view corridors. The provisions of this district also implements the LWRP in that it will allow for more dense development while at the same time promoting public park creation, green building and historic preservation through incentives.

Station Plaza North and South (SP-N and SP-S) (Sections 270-20 and 270-21)

- (i) The historic buildings near the westerly intersection of Main Street and Secor Road have an interesting character and excellent potential for adaptive reuses which would better utilize their existence. Furthermore, the properties near both of Ossining's train stations are small and redevelopment of those properties for mixed uses will promote economic activity around the train stations. The zoning for this district:
- Protects the prevailing existing building form in this zone, which is for small-scale structures with shallow yards. Any redevelopment should protect this form to the greatest extent possible.
 - Encourages mixed uses that would be an appropriate gateway to the train station.
 - In the SP-N the zoning permits residential units atop nonresidential uses and prohibits residential units on the ground floor or in a basement.

- (ii) The provisions of this district support LWRP policies having to do with revitalization of deteriorated waterfronts and visual quality the new district will encourage the reuse and preservation of the smaller lots and existing buildings. It also encourages mixed use development to help add to the economic development of the waterfront.

Institutional Redevelopment (IR) (Section 270-24)

- (i) The Sing Sing Correctional Facility dominates this section of the waterfront with its massive buildings and towering concrete walls. The zoning for this district:
 - Ensures that, in the event that Sing Sing Correctional Facility is ever closed, future plans for the site are consistent with other plans for the waterfront and consistent with the intent and guidelines for the waterfront area iterated above.
- (ii) The provisions of this district will implement the LWRP in that they will allow for development while at the same time promoting water-related uses and public access to the waterfront. Height limitations will protect views to and from the river. The provisions of this district also implement the LWRP in that it will allow for more dense development while at the same time promoting public park creation, RiverWalk, green building and historic preservation through incentives.

Other Districts in the Waterfront Area

- (i) The remainder of the Waterfront Area is divided into several single and multi-family residential districts, business districts and a small professional office district. With the exception of single family and two-family detached residences, uses in these districts are subject to site plan review. For the most part, building height is limited to 2.5 stories; the exceptions are the MF-2 district where 6 stories are allowed and the central business district where 4 story buildings are allowed.
- (ii) These districts reflect existing land use in the Village and will serve to retain the existing low-rise but moderately dense development pattern.

Historical and Architectural Design District (HADD) (Section 270-25)

- (i) The HADD District restricts change and development within the Village's Historical Architectural Design Districts. It sets up a Historic Preservation Commission that will:

- a. Hear applications for and recommend the Designation of Landmarks and Historic Districts to the Board of Trustees in accordance with the procedures set forth herein;
 - b. Hear and approve or disapprove applications for Certificates of Appropriateness pursuant to the criteria set forth herein;
 - c. Determine whether an application submitted to it pursuant to this section is complete and to hear and decide requests for waivers of required application items; and
 - d. Hear applications for and recommend to the Board of Trustees the donation of façade easements. .
- (ii) The provisions of this district will implement the LWRP in that they will allow designation of local historic landmarks and structures significant to the Village as well as set up parameters for their preservation. Height limitations will protect views to and from the river. These regulations enforce Policy 23 and, to a lesser extent, Policy 25.

Although in practice the Historic Review Commission has tended to restrict its activities to Sparta, the Village's only designated HADD; the intent of the ordinance is to protect all buildings having architectural and historical worth, not just those within designated districts. .a

General Landscaping and Environmental Control Requirements (Section 270-35)

- (i) This section discourages development on steep slopes but sets forth detailed construction practices which are to be followed when development on slopes of greater than 15 percent is permitted. It also sets site design guidance for environmental resources and features as well as encourages green building.
- (ii) The provisions of this section enforce LWRP policies having to do with the prevention of erosion and the protection of water quality.

Cluster Development (Section 270-36)

- (i) This section gives the Village Board the power to authorize the Planning Board to modify applicable bulk and area provisions of the Zoning Law.
- (ii) The clustering of development on the more buildable portions of a site can preserve the more fragile lands, leave space free for recreation, concentrate the utilities and cut down on the paved areas.

In addition, the ordinance protects the public interest and supports the waterfront policies as outlined above.

Old Croton Aqueduct (Section 270-37)

- (i) This section establishes 25 foot buffer strips on either side of the aqueduct. Within 25 feet of the aqueduct on both sides, no construction, grading, excavation or construction of buildings will be permitted.
- (iii) This provision implements LWRP Policy 23 by protecting an historic resource which is significant not only to Ossining, but to the State as well.

Zoning Board of Appeals (Article IX)

- (i) The Zoning Board of Appeals rules on requests for variances to the provisions of the Zoning Ordinance. Their rulings must be consistent with State law.
- (ii) The ZBA will refer to the LWRP and will make its determinations in accordance with the program's policies.

Planning Board (Article X)

- (i) The Planning Board is responsible for issuing site development plan approvals. No site development plan approval is required for single-family or two-family detached residential uses or for additions, alterations or structures accessory thereto. All other principal uses however, including detached residences that are part of an approved or proposed subdivision, conversion from rental housing to cooperative or condominium form of ownership and all conditional accessory uses require a site development plan approval prior to the issuance of a building permit, certificate of occupancy or certificate of use. The Planning Board also makes recommendations to the Village Board on requests for rezoning and special permits.
- (ii) The Planning Board will play a central role in ensuring that the full range of waterfront policies is considered when project proposals and rezoning requests are being reviewed.

Village Board/Special Permits (Article XI)

- (i) This article establishes the Village Board's authority to issue special permits. The zoning districts discussed above contain the special

requirements and design standards which will be the basis for the Village Boards' decisions.

- (ii) This provision gives the Village Board a central role in making land use decisions throughout the waterfront area. These decisions will relate to the majority of LWRP policies.

Board of Architectural Review (Article XII)

- (i) The Planning Board members also sit as the Board of Architectural Review and in this capacity control the exterior appearance of new and altered buildings. This review is required in all cases requiring site plan approval. In cases where site plan approval by the Planning Board is not required, such as for one and two-family residence additions, separate application is made to the Board of Architectural Review and their approval is required prior to the issuance of a building permit.
- (ii) The actions of the Board of Architectural Review apply to the development and scenic quality policies.

c. Building and Housing Codes (Chapter 91 and 95)

- (1) The Village follows the State Building and Housing Codes. This controls the quality of construction within the Village.
- (2) Gives a basic degree of control over new structures within the LWRP boundaries and will support implementation of the development policies.

d. Environmental Advisory Council (Chapter 119)

- (i) This article sets up a nine member council for the preservation and improvement of the quality of the natural and man-made environment within the Village.
- (ii) The Council was reactivated in 1990 and acts as a watchdog to prevent actions contrary to the policies adopted in the LWRP.

e. Stream Maintenance Law (Chapter 141, Article I)

- (i) The purpose of the law is to limit the danger of flooding by preventing blockage of natural stream flow as a result of improper maintenance and debris.

- (ii) This law is relevant to implementation of the flooding policies, the water resource policies and the scenic policy.

f. Conservation of Freshwater Wetlands (Chapter 149)

- (i) The local law adopts the procedures, concepts and definitions of Article 24 of the New York State Environmental Conservation Law, which regulates freshwater wetlands.
- (ii) Although primarily concerned with Policy 44 on the protection of tidal and freshwater wetlands, this article also serves to enforce Policy 7 on fish and wildlife.

g. Environmental Quality Review (Chapter 118)

- (i) The local law is in compliance with Part 617 of Title 6 NYCRR (SEQRA) and is designed to mitigate actions which would have a significant effect on the environment.
- (ii) Environmental Quality Review is relevant to implementation of most of the LWRP policies.

h. Excavations and Fill (Chapter 122)

- (i) This ordinance recognizes that the excessive removal or deposit of fill on private property, as well as the removal of trees, results in increased surface drainage and increased soil erosion. In any case where more than 5 cubic yards of soil, sand or stone is to be removed or deposited, maps showing the present grade, the change proposed and the grade after the work has been completed must be prepared. The maps must also show the approximate grades of all adjacent properties for an area large enough to determine the effect of such changes in grade upon these areas. The Planning Board shall study the proposal and approve the application if the project will not create excessive drainage or erosion conditions and provided the following guidelines are adhered to:
 - (a) Adequate barricades will be erected and maintained and adequate provision made for the prevention of flying dust;
 - (b) Any excavation made upon property above the level of an abutting highway shall be so made that neither the excavation nor any deposit of topsoil, earth, sand, gravel, rock or other substance removed from the excavation will interfere with any natural watercourses on, or the natural drainage of, the property, and at the termination of the permit;

- (c) The premises shall be rough graded in such a manner that the natural drainage shall be fully restored;
 - (d) Any excavation upon any property at or below the level of the abutting highway shall be promptly refilled to the natural grade of the property with clean, non-burnable fill containing no garbage, refuse, offal or any deleterious or unwholesome matter and dust down or its equivalent shall be spread to prevent dust from flying;
 - (e) In the case of topsoil removal, there shall be left at least four (4) inches of topsoil upon the surface from which topsoil is removed and the area from which the topsoil is taken shall be harrowed and reseeded with rye or other fast-growing vegetation; and
 - (f) There shall be filed a bond in such amount as may be determined by the Planning Board and approved by the Corporation Counsel or cash to insure the proper and faithful completion of the work in accordance with the terms of the permit issued and which bond shall further indemnify the Village for any damage to Village property. In addition, trees measuring more than three inches in diameter may not be removed from any privately owned lot exceeding 2 acres in area without a permit unless they are diseased or dead.
- (ii) This ordinance was designed to prevent an increase in surface drainage and soil erosion and thus supports flooding and erosion policies, particularly Policies 14 and 37, as well as Policy 25 on visual quality.

i. Garbage, Trash and Refuse (Chapter 225)

- (i) This ordinance makes it unlawful for people to store or dump rubbish, junk or garbage within the Village. All refuse collection within the Village is under the supervision of the Superintendent of Public Works.
- (ii) These regulations are supportive of policies addressing water quality and visual quality.

j. Sewers and Sewage Disposal (Chapter 259)

- (i) Chapter 259 controls the discharge of wastewater and requires sanitary facilities and connections with proper public sewers in all buildings situated within the Village.
- (ii) These regulations will implement water quality policies, particularly Policies 30, 33 and 38.

k. Flood Damage Prevention (Chapter 141)

- (i) It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
 - (a) Regulate uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.
 - (b) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
 - (c) Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters.
 - (d) Control filling, grading, dredging and other development which may increase erosion or flood damages.
 - (e) Regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
 - (f) Qualify for and maintain participation in the National Flood Insurance Program.
- (ii) Chapter 141 and the Floodplain Management Guidelines enforce flooding and erosion policies, particularly Policy 17 on siting structures, so as to minimize damage from flooding or erosion.

l. Local Law to Ensure Consistency with LWRP (Chapter 262)

Along with the above zoning changes, a local Waterfront Consistency Law has been adopted which ensures that Village agencies consider policies contained in the Local Waterfront Revitalization Program when reviewing applications for actions or proposing direct agency actions.

m. Trees (Chapter 248)

- (i) Controls the cutting of trees on private and public property in the Village of Ossining.
- (ii) These regulations support the general policies of the LWRP especially those concerning the preservation of natural lands.

n. Illicit Discharges to Storm Sewers (Chapter 164)

- (i) This chapter establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the New York State Department of Environmental Conservation's (NYSDEC) SPDES General Permit (GP-02-02) for Municipal Separate Storm Sewer Systems.
- (ii) These regulations will implement water quality policies, particularly Policies 30, 31, 32, 33, 37 and 38.

o. Stormwater Management and Erosion and Sediment Control

- (i) The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing within the Village and to address the State's findings. This chapter seeks to meet those purposes by achieving the following objectives:
 - (a) Meet the requirements of minimum measures 4 and 5 of New York State's SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02, or as amended or revised;
 - (b) Require land development and redevelopment activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01, or as amended or revised;
 - (c) Minimize increases in stormwater runoff from land development and redevelopment activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels, watercourses or waterways;
 - (d) Minimize increases in pollution caused by stormwater runoff from land development and redevelopment activities which would otherwise degrade local water quality;
 - (e) Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development and redevelopment to the maximum extent practicable; and
 - (f) Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices, devices and/or structures, and to ensure that these management practices, devices and/or structures are properly maintained and eliminate threats to public safety.

- (ii) These regulations will implement water quality policies, particularly Policies 11, 13, 14, 30, 31, 32, 33, 37, 38, and 44.

B. Other Public and Private Actions Necessary to Implement the LWRP

1. Local Government Actions Necessary to Implement the LWRP

a. Release of the Prison Property

- (i) Guidelines should be developed for the State to follow in the event the prison is closed, e.g., demolition of those structures which would interfere with redevelopment plans. In an allied move, additional thought should be given to just how the Village would like to see the property developed. In addition, the Village should recommend that the original 1825 cell block and the death house be placed on the National Register of Historic Places to ensure their preservation.
- (ii) This action will increase the developmental and recreational potential of the property.

b. State Heritage Area Management Plan

- (i) Continue working to develop Ossining as a visitors' attraction in line with the UCP Management Plan which advocates the following: maintain and improve the Aqueduct Linear Park; prepare information of interest to tourists and have it available at the visitor center in the Ossining Community Center, have trained Recreation Department personnel available to lead tours of the conduit of the Old Croton Aqueduct and provide directional and interpretive signage at various points throughout the UCP.
- (ii) This action will aid in implementing the development, recreation, historic resource and visual quality policies.

c. Rehabilitation Loans and Grants

- (i) The Village will continue to support the Westchester County program to rehabilitate residential and commercial buildings through grants or low interest loans to qualified owners.
- (ii) The program aids in the preservation of buildings and improves the visual quality of neighborhoods. It can be used to encourage the revitalization of the entire waterfront.

d. Study and Improvement of Existing Utilities, Roads and Bridges

- (i) The Village has been involved in an ongoing study of its roads, bridges and utilities as part of its program to upgrade them. A feasibility study of a pedestrian bridge over the tracks at Sparta has been completed and funding for its construction is now being researched.
- (ii) This action will serve to implement development and water quality policies and could improve access to the waterfront.

e. Public Service Crews

- (i) Encourage the re-establishment of the Sing Sing Correctional Facility public service program in which crews of prisoners do work throughout the community under the direction of a guard/foreman.
- (ii) So far the crews have done construction and painting work for the Village. They might possibly be used to help beautify the shoreline.

f. Easements

- (i) As part of the site plan review process, the Village will give consideration to the way in which new structures are sited so that open space along the immediate waterfront is preserved. The Village will also look into the feasibility of obtaining easements along the river in already established areas.
- (ii) The easements would make it possible to develop a waterfront walkway and in this way increase public access to the riverfront.

g. Urban County

- (i) Ossining will continue to participate in the Westchester Urban County Consortium which provides funding for capital and other improvements in the lower income portions of the Village. The Village is currently working with the State and the Consortium on a proposal for affordable housing within Section D of the Waterfront Area which will leave that portion of the parcel nearest the river in its natural state.
- (ii) Improvements to the target area will aid the economic redevelopment and visual enhancement of the waterfront. Certain improvements could also increase access to the waterfront.

h. Historic Designation

- (i) Encourage the State to have the most historically important of the Sing Sing Prison buildings placed on the National Register.

- (ii) This action would aid in the preservation of Ossining's historic structures and give an improved image to these older buildings and areas.
- i. Maintenance and Programming of Events at Existing Parks and Open Spaces**
 - (i) Continue the program of improved maintenance of public areas including but not limited to, the Edward M. Wheeler Crawbuckie Nature Preserve Area, the Aqueduct Linear Park, RiverWalk, the Crescent and other streetscapes. Increase utilization of public areas such as the Louis Engel Waterfront Park and the Aqueduct Park through increased programming and publicity.
 - (iv) These actions will improve the appearance of the waterfront area, increase recreational opportunities and aid the revitalization of Ossining.
- j. Village of Ossining Comprehensive Plan (the Plan)**
 - (i) Implement recommendations of the Village of Ossining Comprehensive Plan. The Plan supports the policies of the LWRP.

C. Management Structure Necessary to Implement the LWRP

At all levels of government, the LWRP can be used as a tool to help a municipality achieve the most beneficial development and use of its waterfront. Any proposal, whether it be put forth locally or by a higher level of government, should be examined for conformance with the LWRP. A project not in conformance can be refused the necessary permits. In the event that this is not successful in stopping an undesirable project, recourse can be made to the courts. This LWRP document has been distributed widely to governmental agencies and to appointed and elected officials at all levels. It will act as a guide to all and will lead to the enhancement and protection of Ossining's waterfront area.

Section 1 below describes management procedures in the Village of Ossining that will ensure that the policies of the LWRP are implemented. Paragraph 2 describes expected interactions with other local entities which will serve to ensure that LWRP policies are followed. Paragraph 3 deals with procedures which ensure State and federal compliance with the Village's LWRP.

1. Local Management Structure

The Village's Management Structure described below is based on the Waterfront Consistency Review Law which the Village has adopted to ensure that local actions are consistent with LWRP policies (see Appendix D for complete law). For the

purposes of this law, an "action" means either a Type I or unlisted action as defined in the State Environmental Quality Review Act regulations (6 NYCRR 617.2). Actions generally take one of three forms: direct agency actions, the granting of permits, or the awarding of funds. Most actions within the Coastal Area of the Village of Ossining are the responsibility of the Planning Board. Many of the remaining actions are the responsibility of either the Village Board or Village Zoning Board of Appeals. A few additional actions are the responsibility of other Village agencies.

a. Lead Official

The local official responsible for overall management and coordination of the Ossining LWRP is the Village Manager or his/her designee. Staff of the Village Manager's Office may assist Village agencies, including the Environmental Advisory Council, in preparing written documentation required by the local Waterfront Consistency Law.

b. Lead Agency

The lead agency is the Village Board of Trustees.

c. Assignment of Specific Responsibilities (as specified in the Waterfront Consistency Law)

Board of Trustees - determines consistency with the LWRP of those actions which require Village Board approval, including special permits and zoning changes and agency actions that are not conditional uses, use or area variances.

Planning Board - determines consistency with the LWRP of those actions which require Planning Board approval, i.e., conditional uses, site plans and subdivision plats for proposed developments.

Zoning Board of Appeals - determines consistency with the LWRP of those actions which require Zoning Board of Appeals approval, i.e., use and area variances.

Other local agencies - refer actions to be reviewed to the Village Board of Trustees.

Environmental Advisory Council - makes recommendations to agencies regarding the consistency of proposed actions.

Building Inspector - enforces the Waterfront Consistency Law.

d. **Procedures to Ensure that Local Actions Are Consistent with LWRP Policies** (from the Waterfront Consistency Review Law)

- (i) Commencement of Review. The consistency review process shall commence as follows:
 - (a) When a private applicant is seeking Village approval or funding for an action, the applicant shall prepare a Coastal Assessment Form (CAF) and submit it along with any other material relevant to the action (applications, Environmental Assessment Forms and other material necessary to the review) to the Board of Trustees, Planning Board, Zoning Board of Appeals, or other local agencies, as appropriate;
 - (b) When the Board of Trustees, Planning Board or Zoning Board of Appeals is planning to undertake a direct action, it shall prepare a CAF;
 - (c) When the proposed action (Village approval, funding or direct agency action) involves a local agency other than the Board of Trustees, Planning Board or Zoning Board of Appeals, that agency shall submit a CAF along with other relevant material to the Board of Trustees. For actions requiring Village approval or funding, the CAF will have been prepared by a private applicant for actions to be directly undertaken by the local agency, that agency will prepare the CAF.
- (ii) Referral of a Coastal Assessment Form. The Board of Trustees, Planning Board or the Zoning Board of Appeals shall refer a copy of the completed CAF to the Village Manager and the Environmental Advisory Council within ten days of its submission to or completion by the board. The board shall also forward any completed applications, EAFs and any other information necessary to the consistency review.
- (iii) Review by the Environmental Advisory Council. After receiving the CAF from the Board of Trustees, Planning Board, or Zoning Board of Appeals, the Council shall consider whether the proposed action is consistent with the LWRP policy standards and conditions set forth in Section 7 of the Waterfront Consistency Law. The Council shall render its written recommendation to the determining board within thirty days following referral of the CAF by the board, unless extended by mutual agreement of the Council and the board. The recommendation shall indicate whether, in the opinion of the Council, the proposed action is consistent with or inconsistent with one or

more of the LWRP policy standards or conditions and shall elaborate in writing the basis for its opinion.

The Council shall, along with its consistency recommendation, make any suggestions to the board concerning modification of the proposed action to make it consistent with LWRP policy standards and conditions or to greater advance them. In the event that the Council's recommendation is not forthcoming within the specified time, the determining board shall make its decision without the benefit of the Council's recommendation.

- (iv) Determination of Consistency by the Board of Trustees, Planning Board or Zoning Board of Appeals. The Board of Trustees, Planning Board or Zoning Board of Appeals shall make its determination of consistency based on the CAF, the Council's recommendation and such other information as is deemed necessary to its determination. The determining board shall do this at its next regularly scheduled meeting after receiving the Council's recommendation, or if no recommendation is forthcoming, the date of the conclusion of the 30-day review period.
- (v) Filing of Consistency Certification. Immediately after the meeting described in "d" above, the determining board shall send its findings, consistency certification and supporting documentation to the Village Manager, Village Clerk and Building Inspector.
- (a) Certification. In making a consistency determination, the Board of Trustees, Planning Board or Zoning Board of Appeals, shall find and certify in writing that either:
- The action will not substantially hinder the achievement of any of the policies and purposes of the LWRP; or
 - If the action will substantially hinder the achievement of any policy of the LWRP, the following three requirements are satisfied: (1) no reasonable alternatives exist which would permit the action to be undertaken in a manner which would not substantially hinder the achievement of such policy; (2) the action will minimize all adverse effects on such policy to the maximum extent practicable; and 3) the action will result in an overriding regional or state-wide public benefit. Such certification shall constitute a determination that the action is consistent to the maximum extent practicable with the LWRP; or

- The action is not consistent with the policies and purposes of the LWRP, since it would substantially hinder the achievement of one or more policies and would not satisfy all of the requirements identified above.

No action shall be undertaken, approved or funded by an agency unless the Board of Trustees, Planning Board or Zoning Board of Appeals, as applicable, certifies in a "Certificate of Consistency" the action's consistency with the policies and purposes of the LWRP.

(b) Filing

The Village Clerk shall maintain a file for each action made the subject of a consistency determination. Such files shall be made available for public inspection upon request. No action subject to consistency review shall be commenced or undertaken until the Building Inspector has been presented with the written Certificate of Consistency, nor shall any activity continue if the Inspector determines that it is not being undertaken in accordance with the Waterfront Consistency Review Law.

2. Ongoing Interaction with Other Local Agencies

a. Town of Ossining

Any conflicts which may arise in the future concerning actions which would conflict with the Village's LWRP will first be discussed by the Village Manager, the Town Supervisor and their respective assistants. If the conflict cannot be resolved in this way, it would be discussed in a joint meeting of the Town and Village legislative boards. These meetings generally occur a couple times of year to discuss matters of mutual concern.

b. Village of Briarcliff Manor

Any conflicts which may arise concerning actions which would conflict with the Village's LWRP will first be discussed with the two Village Managers. If the problem could not be solved in this way, a request would be sent to the Briarcliff Village Board by the Ossining Village Board either in the form of a letter or a more formal resolution.

c. Westchester County Agencies

- (i) County Executive and County Legislature - There is regular contact between local elected and appointed officials and the County Executive's Office and County Legislature. If a conflict should

develop between any branch of the County government and the local LWRP, it would be brought to the attention of the County Executive and County Legislature.

- (ii) County Bureau of Land Records - All subdivisions must be filed with the Bureau, which keeps records on all properties within Westchester County.
- (v) County Board of Health - There is regular contact between the County Board of Health and the Ossining Building Department. They are concerned, among other things, with the quantity and quality of the Village's water supply.

3. Guidelines for Review of Proposed State and Federal Actions

These procedures are contained in Appendix E to the LWRP.

D. Financial Resources Necessary to Implement the LWRP

Summary of the local, public, and private financial resources, which are available or will be available, to implement the proposed projects, actions, and management of the LWRP.

1. Financing Proposed Projects

a. Edward M. Wheeler Crawbuckie Nature Preserve Area

It is hoped that the needed improvements at the Edward M. Wheeler Crawbuckie Nature Preserve Area can be made with the help of grants. The Village is trying to obtain money for a bridge over the ravine to connect the Edward M. Wheeler Crawbuckie Nature Preserve Area with the natural portion of the affordable housing land.

b. CBD Infrastructure Improvements

- (i) Main Street - It is necessary to continue the Main Street improvements down to the railroad station.

c. Old Croton Aqueduct Improvements

Old Croton Aqueduct improvements are being financed through a combination of local money and State Environmental Quality Bond Act funding.

d. Louis Engel Waterfront Park

The Town of Ossining received Urban County CDBG funds for erosion control and other improvements to the Waterfront Park.

e. Sparta Park

The Department of State awarded the Village a Waterfront Implementation Grant for \$12,800 for the preliminary engineering and design work needed to provide a track crossing at Sparta Park. The Village hopes to receive future grant money towards construction of the track crossing. Matching funds will be provided by the Village through the sale of bonds.

f. State Heritage Area

Funding is available through the State Environmental Quality Bond Act II to finance a Visitors Center in each of the State Heritage Area communities. Ossining's Heritage Center opened on June 8, 1991.

2. Financing Other Public and Private Implementation Actions

- a. Minor improvements to public areas can be made by municipal personnel as part of their regular work load without additional cost to the Village.
- b. The development of underutilized parcels within the Waterfront Area will be undertaken primarily with private funding. The Village has made substantial infrastructure improvements as an aid to their development.

3. Financing the Management of the LWRP

It is not anticipated that the management of the LWRP will cost additional funds over the current expenses of running the government and supervising actions within the waterfront area. The lead people and agencies are currently covered by annual budget appropriations and it is felt that this will be sufficient for the management of the LWRP.

E. Summary Chart of Actions Implementing Local Policies

Development Policies

Policy 1	Zoning (PRD, CDD, RDD, PW-a, PW-b, PW-c, IR, SP-N, and SP-S) <ul style="list-style-type: none">▪ Subdivision Regulations▪ State Heritage Area Program▪ Rehab. Loan and Grant Program▪ Plan for the Release of the Tappan Facility of Sing Sing Prison
Policy 2	Zoning (PRD, RDD and IR)
Policy 3	Not Applicable

Policy 4	Not Applicable
Policy 5	Zoning (Clustering provisions and PRD, CDD, RDD, PW-a, PW-b, PW-c, IR, SP-N, and SP-S)
Policy 6	Local Consistency Law

Fish and Wildlife Policies

Policy 7	State regulations
Policy 8	State regulations
Policy 9	Improvements to Louis Engel Waterfront Park
Policy 10	Code of Ordinances (Excavations and Fill) <ul style="list-style-type: none">▪ State regulations▪ Code of Ordinances (Sanitary Sewers, Storm Sewers, and Water Mains)▪ Building Code
Policy 11	Zoning <ul style="list-style-type: none">▪ Subdivision Regulations▪ Flood Plan Management Guidelines▪ Code of Ordinances (Environmental Quality Review)▪ Stormwater Management and Erosion and Sediment Control
Policy 12	Not Applicable
Policy 13	Not Applicable
Policy 14	Building Code <ul style="list-style-type: none">▪ Code of Ordinances (Excavation and Fill)▪ Code of Ordinances (Environmental Quality Review)▪ Zoning (General Landscaping and Environmental Control Requirements)▪ Stormwater Management and Erosion and Sediment Control
Policy 15	State and Federal regulations

- Policy 17 Building Code
- Subdivision Regulations
 - Zoning Code (Planned Waterfront Districts)

General Policy

- Policy 18 LWRP

Public Access Policies

- Policy 19 Zoning – (RDD, IR, and PRD)
- RiverWalk
 - Easements
 - Improvement of Trails and Signage at Edward M. Wheeler Crawbuckie Nature Preserve Area
 - Improvements to Louis Engel Waterfront Park
 - Access to Sparta Dock
 - CBD Infrastructure Improvements

- Policy 20 Zoning) (PRD, CDD, RDD, PW-a, PW-b, PW-c, IR, SP-N, and SP-S)
- Easements

Recreation Policies

- Policy 21 Plan for Release of Prison Property
- State Heritage Area Development
 - Urban County Funding
 - Improvements to Louis Engel Waterfront Park RiverWalk
 - Improvements to Old Croton Aqueduct Trail
 - *Zoning Planned Waterfront including PWRD overlay*
 - *IR, RDD, and PRD*

- Policy 22 Planning Board Review
- Guidelines for Release of Prison Property
 - State Heritage Area Development
 - Easements
 - *Zoning Planned Waterfront including PWRD overlay*
 - *Zoning IR, RDD, and PRD*

- Policy 23 Zoning (PRD, CDD, PW-a, PW-b, PW-c, and IR)
- Historical and Architectural Design District

- Code of Ordinances (Environmental Quality Review)
- Board of Architectural Review
- Work to have the Sing Sing death house and original cell block placed on National Register of Historic Places
- State Heritage Area Development
- Rehab Loans and Grants

Scenic Quality Policies

Policy 24	Not applicable
Policy 25	Zoning (Site Plan Review) <ul style="list-style-type: none">▪ Zoning (Historic and Architectural Design District)▪ Zoning ((PRD, CDD, RDD, PW-a, PW-b, PW-c, IR, SP-N, and SP-S)▪ Zoning (General landscaping and Environmental Requirements)▪ Subdivision Regulations▪ Flood Control▪ Stream Maintenance Law▪ Zoning (Board of Architectural Review)▪ Rehab Loans and Grants▪ Scenic Roads Legislation▪ Sign Regulations▪ <i>Zoning Planned Waterfront including PWRD overlay</i>

Architectural Lands Policy

Policy 26	Not applicable
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Energy and Ice Management Policies

Policy 27	State regulations
Policy 28	Not applicable
Policy 29	Not applicable

Water and Air Resources Policies

Policy 30	State regulations <ul style="list-style-type: none">▪ Illicit Discharge▪ Stormwater Management and Erosion and Sediment Control
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Policy 31	Planning Board Review <ul style="list-style-type: none">▪ Illicit Discharge▪ Stormwater Management and Erosion and Sediment Control
Policy 32	Not applicable <ul style="list-style-type: none">▪ Illicit Discharge▪ Stormwater Management and Erosion and Sediment Control
Policy 33	Code of Ordinances (Excavations and Fill) <ul style="list-style-type: none">▪ Illicit Discharge▪ Stormwater Management and Erosion and Sediment Control▪ CBD Infrastructure Improvements
Policy 34	Environmental Advisory Council
Policy 35	Code of Ordinances (Excavations and Fill)
Policy 36	State regulations
Policy 37	Zoning (General Landscaping and Environmental Control Requirements) <ul style="list-style-type: none">▪ Zoning (Cluster Provisions)▪ (Code of Ordinances)▪ (Excavations and Fill)▪ Illicit Discharge▪ Stormwater Management and Erosion and Sediment Control▪ Subdivision Regulations
Policy 38	State regulations <ul style="list-style-type: none">▪ Illicit Discharge▪ Stormwater Management and Erosion and Sediment Control
Policy 39	Code of Ordinances (Sewers and Sewage Disposal) <ul style="list-style-type: none">▪ Code of Ordinances (Excavations and Fill)▪ Garbage, Trash and Refuse Ordinance
Policy 40	State regulations

Policy 41	State regulations
Policy 42	State regulations
Policy 43	State regulations
Policy 44	Code of Ordinances (Excavations and Fill) <ul style="list-style-type: none">▪ State regulations governing hazardous chemicals▪ Stream Maintenance Law▪ Conservation of Freshwater Wetlands Law▪ Environmental Advisory Council▪ Stormwater Management and Erosion and Sediment Control▪ Code of Ordinances (Environmental Quality Review)▪ Code of Ordinances (Sanitary Sewers, Storm Drains and Water Mains)