

SECTION V LOCAL IMPLEMENTATION TECHNIQUES

The Waterfront Revitalization and Coastal Resources Act places great emphasis on the implementation provisions of the LWRP. This section accomplishes two objectives. It is meant to provide sufficient information for DOS to determine whether Saranac Lake has met the state's requirements and, to provide the Village with a clear and complete description of the strategy the Village will follow to implement those elements of the LWRP for which the Village is responsible.

A. Local Laws and Common State Agency Regulations Necessary to Implement the Village's LWRP

Local laws and regulations are the basic means for enforcing the provisions of the LWRP. They can ensure that, at a minimum, nothing will occur to prevent the long-term advantageous use of the waterfront or to frustrate the achievement of any of the policies or purposes of the LWRP. The balance between development/redevelopment and resource protection that is apparent in the LWRP policies and the proposed land uses and projects has been achieved through the application of many of the Village's existing laws and regulations.

1. Village of Saranac Lake Local Laws

a. Saranac Lake Master Plan Update (in progress)

The 1988 Master Plan is an update of the original 1967 Master Plan. A present effort is underway to develop a new comprehensive plan that bridges the goals and initiatives of the local planning initiatives of the 1990's and early 2000's. Much of the planning work done in the Village is comprised of rather separate and discrete studies and plans that were designed to solve specific problems or purposes at a particular point in time.

The latest draft of the update identifies areas and sub-areas within the Village and lists a set of planning concerns and objectives. Below is a list of some of the objectives for areas and sub-areas as they relate to the LWRP.

- Encourage passive recreational use and public access to the lakefront.
- Encourage designs, including lighting and signs, which do not intrude on scenic views of the Saranac River and Lake Flower.
- Protect and enhance lakefront and riverside open space.
- Ensure building layouts that allow for maximum views of the lake from within plots but also from the road.
- Ensure that signs do not impinge on these views.
- Protect Lake front wetlands and lake by enforcing setback from the water's edge.
- Insure adequate drainage and erosion protection in this area.
- The quality of the Saranac River should be protected environmentally and its edges conserved visually. Development should be limited in environmentally sensitive areas, protecting vegetation and wildlife, and guaranteeing public access to compatible recreation areas.

b. Saranac Lake Land Use Code

This document was adopted in April 2002. Relying on the objectives established in the draft Master Plan Update, the Village's Land Draft Use Code codified many of the objectives listed above into a useable and enforceable ordinance including provisions for development along the Village's waterfronts.

Figure II-4, "Existing Zoning Map," illustrates that zoning along the Village's major waterfront areas (Lake Flower and the Saranac River) are the B - Lake Flower Avenue and E - The Village Center zones. Land uses in the B zone vary from residential to parks to commercial strip development with residential uses generally located closer to the Village center and commercial strip uses closer to the Village's edge towards Lake Placid. The B zoned area serves as an important gateway into the Village and offers expansive views to the west across the Lake. The Village Center, Zone E, encompasses most of the central business district and the Saranac River's passage through the Village. This is a high-density area with mixed-use buildings in this zone focused away from the River and towards Main Street.

Because these two zones are adjacent to the waterways being emphasized in the Village's LWRP, the establishment of a Waterfront Overlay District or Sub Area may be an appropriate step to take in the future. The new overlay district or sub area could be used to encourage pedestrian connections and access to the waterfront. It may also include some architectural design guidelines, which would emphasize both the historic character of the Village and its connection to nearby water bodies. This is an excellent opportunity because the Village is currently in the process of updating its Master Plan, which will include amendments to the zoning code.

In general, the Zoning Regulations of the Village are a significant tool in the implementation of the LWRP. The Committee found that the existing zoning districts and associated uses are compatible with the proposed uses and projects listed in Section II of this LWRP. Specific deficiencies in the Zoning Regulations include the lack of design standards for several development elements. (See Section 1b below.)

The Village also has Subdivisions that were adopted in 1988 and are incorporated into the Zoning Ordinance. The Planning Board is responsible for the review and approval of all subdivisions of land. Standards include street layout, lot configuration and drainage improvements. Similar to the Zoning Regulations, the Subdivision Regulations could benefit from the addition of design standards. The effort to upgrade all land use regulations is underway at the present time. This LWRP recommends at a minimum incorporating the standards listed above.

2. Common State Agency Regulations

a. Flood Damage Prevention Law

This law requires permits for new construction and improvements to existing structures, as well as other projects involving excavation, filling, grading, etc. within flood hazard areas identified by the Federal Emergency Management Agency. With such a law in place, property owners are eligible for purchase of subsidized flood damage insurance that would not otherwise be available. 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 also requires subdivision proposals to be consistent with the need to minimize flood damage. The Village Code Enforcement Officer administers this law. Appeals may be made to the Village Board of Appeals.

b. New York State Department of Environmental Conservation (DEC)

The DEC Division of Regulatory Affairs manages the State Environmental Quality Review Act (SEQRA). SEQRA is a law that establishes a process that requires the consideration of environmental factors early in the planning stages of actions that are directly undertaken, funded

or approved by local, regional and state agencies. The Village considers all applicable requirements under (SEQRA) during review of all qualifying projects. SEQRA is incorporated into the site plan review procedures of the Village's Land Use Code.

DEC also issues permits for any discharge into waters, oil or gas drilling, mining, transportation of solid wastes, operation of new solid waste facilities, the storage, transport and disposal of hazardous waste. DEC also authorizes permits for air pollution, the operation of marinas and the construction, dredging or dumping in a freshwater wetland.

c. Adirondack Park Agency

The Adirondack Park Agency (APA) governs land use in the Adirondack Park. As such, there is often an additional layer of review for projects that fall within their jurisdiction. The APA has limited review authority, however, in Hamlet areas, which in this case, include the Village of Saranac Lake. Hamlets are APA designated zoning districts that primarily designated to well-settled population centers. Generally, projects that would be considered jurisdictional include projects over 40 feet in height and projects proposing 100 or more residential or commercial units. The Village refers these types of projects to the APA for a jurisdictional decision.

d. Army Corps of Engineers (ACOE)

All projects proposed along the Saranac River that impact the Hydro Dam must be submitted to the Federal Energy Regulatory Commissioner (FERC) of the US Coast Guard and the Army Corps of Engineers.

The ACOE requires a permit for wetland disturbances in the Adirondack Park.

B. Adopted Local Laws and Regulations

Site plan review standards that address shoreline development concerns and encourages new businesses that are consistent with the LWRP should be added to the Zoning Ordinance. Within the previous section (V), the various local laws and regulations of the Village were examined to determine how well they implement the policies and proposals of the Village's LWRP. The Village needs to develop an improved set of design standards to address design issues, parking, landscaping and utilities. A copy of the suggested design standards is found in Appendix 2. Since the Village is in the process of revising both the Master Plan and Zoning Ordinance, the LWRP Advisory Committee is recommending that these standards be considered during this process as opposed to changing the law through this document.

The Zoning Regulations would also benefit from a review to improve definitions, remove inconsistencies, and take into account the recent amendments to the State planning and zoning statutes that were initiated by the New York State Legislative Commission on Rural Resources. All projects proposed along the Saranac River that impact the Hydro Dam must be submitted to the Federal Energy Regulatory Commissioner (FERC) of the US Coast Guard and the Army Corps of Engineers.

Adopted Amendments to Zoning Code

1. New Site Plan Review Standards

The long-term success of the Village's waterfront depends, in part, on sensitively designed development projects and programs that adhere to the overall vision for the waterfront area. For

each land use type in the waterfront area, the Village should establish a set of design criteria. These design criteria will indicate to Village officials and future developers how projects should be designed to meet the overall vision. Design considerations may include graphic depictions of how development should occur as well as suggested zoning measures that will ensure their implementation. The Village can translate the design considerations into actual standards for inclusion in the appropriate sections of the Village's zoning regulations.

2. Design Standards

Since the waterfront traverses the entire Village of Saranac Lake, all projects should be subject to the same design standards regardless of individual zoning district. The Village is presently in the process of addressing various design standards. Rather than incorporating specific standards in this document for adoption by the Village Board, the LWRP is providing substantial guidance for the preparation of design standards in Section III, Policies (2.2). Recommended design standards are located in Appendix 2 of this document. Design standards should be developed to address the following criteria:

- Overall Design
- Relationship to Lake Flower and the Saranac River
- Architectural Design Standards
- Landscaping, Screening and Buffering
- Lighting
- Signage
- Transportation System
- Public Access to Waterfront
- Off-Street Parking
- On-Site Utilities and Services
- Building Height and Setback Requirements
- Natural Resource Protection

3. Establishment of Village of Saranac Lake Waterfront Consistency Law

The purpose of this new law is to provide a framework and procedures for agencies of the Village to consider the policies and purposes contained in the LWRP when reviewing applications for actions or direct agency actions located within the Village; and to assure that such actions are consistent with the policies and purposes of the Village's LWRP.

This Adopted local law establishes consistency review procedures for Village actions within the Village in order to implement the LWRP. This local law will require of each board, department, office, officer or other body of the Village of Saranac Lake that its actions to directly undertake, or to permit, fund or otherwise approve any project, use or activity within the Village, be consistent to the maximum extent practicable with the State and local policies set forth in the Village of Saranac Lake Local Waterfront Revitalization Program. To this end, the LWRP Consistency Review Law establishes procedures for:

- a.) Initial review of proposed actions in a manner compatible with requirements of the State Environmental Quality Review Act (SEQRA), Title 6, Part 617 NYCRR.
- b.) Advisement and assistance to applicants (if involved) and/or the boards, the departments, offices, officers, or other bodies of the Village involved regarding forms, procedures, etc.

C. Other Actions Required of Both Public and Private Sectors

In addition to the laws and regulations identified in the above section, 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 improvements and revitalization projects to address and implement many of the LWRP Policies outlined in detail in Section IV. In implementing these projects the Village will seek to develop and/or foster a full range of public/private partnerships. Actions necessary to implement these projects are discussed in Section IV.

2. Development and Adoption of the New Master Plan and Zoning Ordinance

The Village should fund and expedite the development and adoption of the Master Plan Update and Land Use Code Update.

3. Full-Time Code Enforcement Officer

The Village should fund the position of a full-time Code Enforcement Officer to enforce all provisions of the land use and development codes of the Village.

4. Memorandum of Understanding Between Village and DEC

The Village and DEC should renegotiate their Memorandum of Agreement regarding the maintenance of the boat launch and seek a solution for the construction and maintenance of a restroom facility at the Lake Flower State Boat Launch.

5. Formation of Village Transportation Committee

The Village should form a Transportation Committee to address the traffic, parking and pedestrian access issues outlined in this LWRP.

6. Secure Easements for Lake Flower Trail

A property survey and easements, or negotiated passage, will need to be secured for properties bordering Lake Flower where the Lake Flower Trail is proposed.

7. Formation of a Signage Committee.

The Village should form a signage committee to address a consistent theme for signage that is targeted at pedestrian and parking.

D. Local Management Structure and Procedures for Reviewing Proposed Projects

It is the intention of the Village of Saranac Lake that the revitalization of the Village takes 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.

In order to provide a LWRP focus within the community, the Village needs to enact a Local Consistency Review Law that provides a process for the review of actions within the Village for consistency with the LWRP. The procedures for review will be identified in the Local Consistency Law that is provided in Appendix 3.

The Village Planning Board will assist in interpreting the LWRP to the Village Board, Zoning Board of Appeals, and any and all other Village agencies, officers, offices, personnel, and the general public. The Office of Community Development will also be responsible for coordinating and/or overseeing implementation of projects identified in Section IV of the LWRP.

The purpose of the LWRP Consistency Review Law is to provide a framework for agencies of the Village to consider the policies, purposes, and common interests contained in the Village's LWRP when reviewing applications for actions or direct Village agency actions and to assure that such actions are consistent with those policies and purposes. The procedures for consistency review are intended to ensure that all of the policies of the Village's LWRP are considered as early as possible in the formulation of a proposed action. The LWRP will result in the involvement of several agencies, boards and individual officials. Primary responsibility will be with the Planning Board. However, the Office of Community Development, Planning Board, Code Enforcement Officer, Zoning Board of Appeals, Director of Public Works, and the Chamber of Commerce will all play a significant role in the implementation of the LWRP.

E. Financial Resources

There are three main funding implications associated with implementation of the Village's LWRP. These are the administrative costs involved in the continued local management of the LWRP, the capital and revenue costs involved in project implementation, and the costs related to maintenance and upkeep of projects.

Management costs associated with the administration of the LWRP must be budgeted by the Village and financed out of general revenues. This involves creating a separate budget item for the administration of the LWRP by the Planning Board to cover the costs of consistency reviews, production of an annual report, and general administrative and clerical needs.

The second funding implication is the capital and revenue costs involved in project implementation. The Village of Saranac Lake has identified a number of LWRP projects designed to address and implement many of the LWRP Policies identified in Section III. These projects are discussed in detail in Section IV.

Although the Village will need to take the lead in achieving the implementation of these projects, it is unlikely that the Village will be able to provide the necessary financial resources to implement any of these projects without seeking financial assistance from other entities or as part of a public/private partnership.

A key element in the building of successful implementation partnerships is the availability of a local match from the Village. This match is essential in leveraging public or private sector money. The local match generally can take a number of forms, including funding by the Village, the provision of materials or Village public works labor, and 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 water supply project, stretching the benefits of limited public funds and achieving multiple objectives. In terms of providing a monetary match, the Village Board should consider setting up a budget item that would dedicate funds for the

implementation of LWRP projects. This item could be used to fund small-scale projects or parts of projects.

The Village should evaluate the requirements necessary to obtain monies from a variety of existing environmental response and economic development programs. Some of the available grant programs to address contaminated properties require a percentage contribution from the Village or private donors.

Government funding programs include:

DOS Waterfront Program

The Coastal Resources Division works with local governments, businesses, community organizations, and citizens to improve their waterfronts. Technical, planning, and financial assistance are available on an annual basis for both the planning and project elements of an individual program.

The New York State Clean Water/Clean Air Bond - Environmental Conservation Law Article 56. Project eligibility should be evaluated under different Bond Act funds, including the Safe Drinking Water Fund (Title 2), the Clean Water Fund (Title 3), and the Municipal Environmental Restoration Project Fund (Title 5).

The New York State Environmental Protection Fund - Environmental Conservation Law Article 54. This fund provides assistance for park, recreation and historic preservation projects.

The Federal "Superfund" - Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). This fund provides the federal government with monies to implement short-term "removal" actions, or longer term remedial investigation and remediation of hazardous waste sites listed on the National Priorities List (NPL). The NYSDEC must request that a site be listed on the NPL. This fund was used to implement limited clean-up activities at the former Diamond International site.

Federal Environmental Response and Spill Compensation Fund - Navigation Law Article 12. This fund is available to states to implement investigation and clean up of petroleum discharges and removal of underground storage tanks. The fund is also available to compensate injured parties, including municipalities which have lost revenue as a result of the discharge of petroleum.

NYS Council on Arts - The New York State Council on the Arts (NYSCA) is a state funding agency that provides support for activities of nonprofit arts and cultural organizations in New York State and helps to bring artistic programs of high quality to the citizens of the state. NYSCA achieves its goals primarily through its grantmaking activity. It offers grants and support services to the field through a number of discipline and field related programs.

Adirondack North Country Association - The Adirondack North Country Association works as a regional economic development association to create and retain jobs, increase goods and services, and market agricultural products, natural resources, crafts, and other items made in the region. Committed to the need for planning for economic development, ANCA works to build programs that result in long-term activities.

Empire State Development Corporation (ESDC) - and regional banks have established the Adirondack North Country Community Enhancement Program (ANCCEP) Loan Program to make a lending pool available to Adirondack North Country businesses. Loan funding through the program will be available to small and medium-sized businesses with fewer than 500 employees.

Essex County IDA/ Franklin County IDA - Their mission is to create a viable business atmosphere that will attract compatible and diverse sustainable economic development opportunities while focusing on major assets, retention / expansion projects, quality of life and job creation. To attain these goals, the IDA's offer a number of financing instruments and economic incentives.

USDA Rural Development - The mission of the Rural Business-Cooperative Service is "to enhance the quality of life for rural Americans by providing leadership in building competitive businesses including sustainable cooperatives that can prosper in the global marketplace." They meet these goals by investing financial resources and providing technical assistance to businesses and cooperatives located in rural communities, and by establishing strategic alliances and partnerships that leverage public, private, and cooperative resources to create jobs and stimulate rural economic activity.

New York State Environmental Facilities Corporation ("EFC") - There are several State Revolving Fund ("SRF") programs which may be available to Saranac Lake or interested private sector investors for development of the contaminated properties.

Clean Water State Revolving Fund for Water Pollution Control - Financing is available to respond to non-point source pollution projects. Non-point source refers to water pollution from diffuse sources that are not directly related to a piped discharge. Examples include remediation of contamination from leaking underground storage tanks or collection and treatment of road runoff, and water body restoration such as stream bank stabilization, drainage erosion and sediment control.

Industrial Finance Program - provides low interest loans to private businesses for environmental improvement capital projects, including Brownfield site remediation and solid waste management.

The State Revolving Fund Program is one of the largest environmental infrastructure financing programs in the nation. Three primary loans are available through EFC: Bond-Funded Loans, Financial Hardship Loans, (including interest-free long-term), and Interest-Free Short-Term (up to two years).

Community Development Block Grant (CDBG) - This program provides direct funding from the Department of Housing and Urban Development (HUD) for activities that support the reuse of industrial sites. CDBG funds are used for grants, loans, loan guarantees and technical assistance activities.

Section 108 Federal Loan Guarantees - Another HUD program, may also be applicable to the industrial site reuse effort. Eligible projects include rehabilitation of obsolete structures, property acquisition and site preparation activities that could include removal of contamination from a property.

New York State and U.S. Departments of Transportation - Grants and loans may be available pursuant to the DOT Transportation Efficiency Act 21st Century (TEA-21). Provides project grants to states for the purposes of providing and maintaining recreational trails through the National Recreational Trails Funding Program.

The Quality Communities Task Force - Provides State grants aimed at improving the quality of life through economic and environmental protection measures under the Quality Communities Demonstration Program, administered by the Department of State.

Sustainable Development Challenge Grant Program - An EPA program to encourage communities to address their long-term ecological well being by creating plans and activities that recognize the relationships and interdependency of environmental quality, economic prosperity and community well-being for a community's long-term sustainability.

National Preservation Loans - The Preservation Loan Fund of the National Trust for Historic Preservation provides below-market loans, lines of credit or participation loans for acquisition and rehabilitation of historic buildings.

New York State Empire State Development Corporation - Program grants and loans are available as incentives to attract commercial development and may be applicable to Brownfield development through the Economic Development Fund.

U.S. Department of Commerce Economic Development Administration - Grants are available to assist economic development projects.

New York State Nonpoint Source Implementation Grants Program - The NYSDEC has a grant program under its Nonpoint Source Implementation Grants Program. The Program provides grants for up to fifty percent (50%) of the cost of eligible nonpoint source water pollution assessment, planning and abatement projects.

Private Foundation Grants - The Environmental Grantmakers Association, 1290 Avenue of the Americas, Suite 3450 New York, New York, 10104 compiles a listing of hundreds of potential foundations and trusts which may provide funding assistance to creative environmental/economic development initiatives.

Adirondack Economic Development Corporation - Provides access to capital for start-up and existing businesses located in and around the Adirondack Park. Programs combine financing and investments, entrepreneurial training and small business development, and assistance to communities to create multi-level economic opportunities within the region.

Friends of the North Country - Provides financing and loans and other business assistance throughout the Adirondack/North Country Region. Also raises funds for community programs and projects for planned development, resource protection and grassroots community advocacy.

Small Business Development Center - Provides advice and training for business start-ups and existing businesses, including the preparation of business plans and associated financial documents. This center is partnership program between the U.S. Small Business Administration and Plattsburgh State University.

AmeriCorps Program - This domestic Peace Corps engages more than 50,000 Americans in intensive, results-driven service each year. We're teaching children to read, making neighborhoods safer, building affordable homes, and responding to natural disasters through more than 1000 projects. Most AmeriCorps members are selected by and serve with projects like Habitat for Humanity, the American Red Cross, and Boys and Girls Clubs, and many more local and national organizations. Others serve in AmeriCorps*VISTA (Volunteers in Service to America) and AmeriCorps*NCCC (the National Civilian Community Corps).