

Town and Village of Waterford Local Waterfront Revitalization Program

Adopted:

Village of Waterford Board, September 13, 2008

Town of Waterford Board, September 8, 2009

Approved:

NYS Secretary of State Lorraine A. Cortés-Vázquez, April 20, 2010



TOWN & VILLAGE of WATERFORD



Local Waterfront Revitalization Program



This document was prepared for the New York State Department of State with funds provided under Title 11 of the Environmental Protection Fund

Village of Waterford

65 Broad Street

Waterford, NY 12188

Phone/Fax: (518) 235-9898

J. Bert Mahoney, Mayor Ryan VanDervoort, Treasurer Robin Koblensky, Clerk

Village of Waterford
Resolution of the Village Board
Adopting the
Local Waterfront Revitalization Program

Whereas, the Village of Waterford initiated preparation of Local Waterford Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

Whereas, a Draft Local Waterford Revitalization Program was prepared and circulated by the Department of the State to potentially affected State, federal and local agencies in accordance with the requirements of Executive Law, Article 42; and

Whereas, the Village of Waterford, as a lead agency, filed a Negative Declaration-Notice of Determination of Non-Significance on December 13th 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Village of Waterford Local Waterford Revitalization Program is hereby adopted, and that the Mayor is authorized to submit the Local Waterfront Revitalization Program to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Upon motion of Trustee Kelts, seconded by Trustee Rocque, the question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Kelts,	voting YES
Trustee Rocque,	voting YES
Trustee VanDervoort,	Absent
Trustee Pascucci,	voting YES
Mayor Mahoney	voting YES

This resolution was thereupon duly adopted on September 13th 2008.

Robin Koblensky,

Village Clerk

At a Town board meeting of the Waterford Town Board held on Tuesday, September 8th. 2009 at 7:00 PM at the Waterford Halfmoon School the following transpired:

There were present:

Councilman Ball

Councilman Boudreau

Councilman Callaghan

Councilman Marble

Supervisor Lawler

RESOLUTION # 84

WHEREAS, the Town of Waterford initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a Draft Local Waterfront Revitalization Program was prepared and circulated by the Department of State to potentially affected State, Federal, and Local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Town of Waterford, as lead agency, filed a Negative Declaration-Notice of Determination of Non-Significance on June 6, 2006 for preparation of the Local Waterfront Revitalization Program, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Waterford Local Waterfront Revitalization Program is hereby adopted, and that the Supervisor is authorized to submit the LWRP to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Costal Areas and Inland Waterways Act.

Offered by Councilman Callaghan

Seconded by Councilman Marble

Councilman Ball yes

Councilman Boudreau yes

Councilman Callaghan yes

Councilman Marble yes

Supervisor Lawler yes

Motion to adjourn by Councilman Boudreau. Seconded by Councilman Ball. All in favor

Respectfully submitted,

Marilynn A. Brown

Deputy Town Clerk



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

DAVID A. PATERSON
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

Honorable John Lawler
Supervisor
Town of Waterford
65 Broad Street
Waterford, NY 12188

April 20, 2010

Dear Supervisor Lawler:

I am pleased to inform you that I have approved the Village and Town of Waterford Local Waterfront Revitalization Program, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

I am notifying State agencies that I have approved your Local Waterfront Revitalization Program and advising them that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the program.

The approved Village and Town of Waterford Local Waterfront Revitalization Program will be available on the website of the Department of State, at <http://nyswaterfronts.com/LWRP.asp>. If you have any questions, please contact Kevin Millington of the Office of Coastal, Local Government and Community Sustainability, at 518-473-2479.

Sincerely,

A handwritten signature in black ink that reads "Lorraine Cortés-Vázquez". The signature is written in a cursive style with a large initial 'L' and 'C'.

Lorraine A. Cortés-Vázquez
Secretary of State

KM/vi



STATE OF NEW YORK
DEPARTMENT OF STATE
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ALBANY, NY 12231-0001

DAVID A. PATERSON
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

Honorable J. Bert Mahoney
Mayor
Village of Waterford
65 Broad Street
Waterford, NY 12188

April 20, 2010

Dear Mayor Mahoney:

I am pleased to inform you that I have approved the Village and Town of Waterford Local Waterfront Revitalization Program, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable local waterfront resources.

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Sincerely,

A handwritten signature in black ink that reads "Lorraine Cortés-Vázquez". The signature is written in a cursive style with a large initial 'L'.

Lorraine A. Cortés-Vázquez
Secretary of State

KM/vi

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Introduction

Town & Village of Waterford Local Waterfront Revitalization Program

INTRODUCTION

Process Used to Develop the LWRP

An advisory committee was established in November 1999 to oversee the preparation of the Local Waterfront Revitalization Plan (LWRP) and Comprehensive Plan. The ten-member committee was appointed by Town Supervisor John E. Lawler and by Village Mayor J. Bert Mahoney, and includes Philip Brendese, Village Planning Board Chairman Christopher Callaghan, Daniel Cerone, Wayne Clermont, Town Planning Director Richard Hurst, Laurie Marble, Anne Marie Morrissey, Ward Patton, Barbara Plummer, and Village Zoning Board Chairman Kenneth Smith. The supervisor and mayor are ex-officio members. The role of the committee is to guide and lead the planning process, communicate with municipal leaders, and help facilitate community involvement in the development of the plans.

Financial assistance for the preparation of the LWRP was received from the New York State Department of State Division of Coastal Resources and Waterfront Revitalization, with in-kind contributions from the Town and Village of Waterford. The Town and Village have jointly hired a consultant, River Street Planning & Development, to prepare the plans, working closely with the advisory committee. The committee has been meeting approximately once a month to plan and publicize the public participation process, review research and findings prepared by the consultant, and discuss critical issues.

To ensure active public input and support, a resident survey was conducted as part of the Comprehensive Plan preparation process in January 2000. Because the LWRP and Comprehensive Plan are being prepared concurrently, the survey asked a number of questions that relate directly to waterfront resources and downtown revitalization issues. The survey was designed to assess residents' opinions about various issues affecting the future of the Town and Village, and was mailed to more than 3,000 households in Waterford and distributed at various public places within the Town and Village. Nearly 300 residents responded to the survey, and their input will be incorporated into many sections of the LWRP (relevant summarized survey results will be added to this document when they are finalized, with additional results summarized in the Comprehensive Plan).

In addition, as part of the Comprehensive Plan preparation process, the Town and Village and their project consultant hosted a public "visioning session" at the Waterford Civic Center in March 2000 to introduce residents to the planning process and present initial results of the survey. More importantly, Waterford residents participated in a brainstorming exercise designed to identify what they love about their community, what they would like to change, and what Waterford will be like when the changes have been made. Comments provided by the nearly 100 residents present at the session will be used in the future to inform the development of other LWRP sections and related actions.

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Town & Village of Waterford Local Waterfront Revitalization Program

Several public meetings were held to provide additional opportunities for the participation and involvement of Waterford residents. The consultant also conducted interviews with a variety of municipal staff, business leaders and other community stakeholders to solicit input on various topics and identify specific concerns.

The Local Waterfront Revitalization Plan and the Comprehensive Plan

It should be noted that the Town and Village developed the LWRP concurrently with the Comprehensive Plan. Although there is a coordinated planning process, with a joint advisory committee, each plan was prepared as a separate stand-alone document. This was largely due to the fact that the elements of the LWRP are mandated by New York State, and focus primarily on waterfront areas and the areas that will directly contribute to or support their revitalization, while the Comprehensive Plan has a broader perspective within a set of basic parameters.

The LWRP has clearly defined and mapped waterfront revitalization area boundaries and nine distinct sub-areas which reflect specific patterns of use or clusters of resources. It should be noted that the LWRP sub-areas *are not the same* as those established for the comprehensive plan. Comprehensive plan sub-areas include portions of the Town that do not relate directly to or otherwise contribute to the waterfront and combine several of the LWRP sub-areas.

What Is a Local Waterfront Revitalization Plan?

The New York State Department of State Division of Coastal Resources' Local Waterfront Revitalization Program (LWRP) is a comprehensive program that refines legislatively established waterfront policies by incorporating local circumstances and objectives. Legislative authorization for the NYS LWRP is the state Coastal Zone Management Act, which is codified under New York State Executive Law, Article 42, Waterfront Revitalization of Coastal Areas and Inland Waterways (adapted from Chapter 842 of the Laws of 1981 and Chapter 366 of the Laws of 1986). These laws articulate the state's policy regarding its coastal areas and inland waterways, and are designed to encourage the following goals:

- To achieve a balance between economic development and preservation that will permit the beneficial use of coastal and inland waterway resources while preventing the loss of living marine resources and wildlife, diminution of open space areas or public access to the waterfront, shoreline erosion, impairment of scenic beauty, or permanent adverse changes to ecological systems.
- To encourage the development and use of existing ports and small harbors.
- To conserve, protect and, where appropriate, promote commercial and recreational use of fish and wildlife resources and habitats.

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Town & Village of Waterford Local Waterfront Revitalization Program

- To encourage and facilitate public access for recreational purposes.
- To minimize damage to natural resources and property from flooding and erosion, including proper location of new land development.
- To encourage the restoration and revitalization of natural and man-made resources.
- To encourage the location of land development in areas where infrastructure and public services are adequate.
- To conserve and protect agriculture lands as valued natural and ecological resources which provide for open spaces, clean air sheds and aesthetic value as well as for agricultural use.
- To assure consistency of state actions and, where appropriate, federal actions, with policies within the coastal area and inland waterways, and with accepted waterfront revitalization programs within the area defined by such programs.
- To cooperate and coordinate with other states, the federal government and Canada to attain a consistent policy towards coastal and inland waterway management.
- To encourage and assist local governments in the coastal area and inland waterways to use all their powers that can be applied to achieve these objectives.

The LWRP is a voluntary, grass roots effort which brings together local and state governments, commerce and industry, environmental interests, private organizations, and community citizens to assess current opportunities and constraints and to build a consensus on the desired future of the community's waterfront. More importantly, the LWRP provides a strategy for achieving that vision and for managing local resources. Decision makers will then be able to respond with increased knowledge and purpose to future events affecting their waterfront area and to actively pursue an agreed upon program.

One of the components of such programs is the identification of long-term uses along the waterfront and specific projects for implementation. These uses and projects, in conjunction with an established management program, can significantly increase a community's ability to attract development activities that will take best advantage of the unique cultural and natural characteristics of their waterfront. The LWRP also serves to enhance the conservation and protection of natural resources. As such, the LWRP represents a balance between economic development and environmental protection that permits the beneficial use of waterfront resources, while preventing the loss of valuable resources and public access opportunities to the waterfront. Once the LWRP is approved by the NYS Secretary of State, the community has the local controls in place to guide

Introduction

Town & Village of Waterford Local Waterfront Revitalization Program

waterfront development and -- a distinct benefit of a LWRP -- the legal ability to ensure that all State actions

proposed for their waterfront only occur in the fashion prescribed in the LWRP. This "consistency" provision is a strong tool that assures that State and local governments work in unison, and not at cross purposes to build a stronger economy and a healthier waterfront environment.

The LWRP consists of the following major sections:

- ***Waterfront Revitalization Area (WRA) Boundaries*** - The WRA boundaries establish the focus area for the plan.
- ***Inventory and Analysis*** - This section provides an informational base for determining applicable state and local coastal policies in Section 3 and designating appropriate land and water uses and necessary projects in Section 4. This section provides brief descriptions of the coastal resources, existing land and water uses and important economic activities of the Town and Village of Waterford's waterfront area. It has been developed based on existing and readily available state, local and regional documents and maps augmented by telephone interviews and meetings.
- ***Local Policies*** - This section is developed through close collaboration by local officials and community development agency staff, the planning consultant, waterfront advisory committee members, and the NYS Department of State. Local policies are developed based on the thirteen coastal policies adopted by New York State. Policies are selected and elaborated based on appropriateness to specific waterfront areas. The policies focus on five major areas: regional character, economic development, recreation and culture, coastal environment, and environmental health and energy.
- ***Proposed Uses and Projects*** - This section outlines preferred land and water uses and projects for the waterfront revitalization area. It should strongly reflect the town and village of Waterford's development goals for the waterfront revitalization area.
- ***Techniques for Local Implementation*** - This section outlines actions the town and village must complete in order to achieve the goals of the LWRP. It includes zoning amendments, legislative endorsement of the plan, passage of local laws, creation of a management structure, public and private actions and project financing requirements.
- ***State Actions Likely to Affect Implementation*** - This section was provided by the NYS Department of State and consists of a list of state agencies and actions that may affect the waterfront and the town and village of Waterford's ability to protect and enhance waterfront areas.

Introduction

Town & Village of Waterford Local Waterfront Revitalization Program

- ***Local Commitment and Consultation*** - The draft LWRP has been developed with assistance from the Town Supervisor and Village Mayor, members of the town and village boards, planning and zoning boards, municipal staff, state officials and a waterfront advisory committee composed of town and village residents. The committee met on an approximately monthly basis to review and comment on document drafts, provide valuable information regarding local conditions and needs, make recommendations regarding waterfront projects, and provide input regarding local techniques for implementation. The committee's efforts will be augmented by a public forum.

Section I LWRP Boundaries

Town & Village of Waterford Local Waterfront Revitalization Program

Section I

Town and Village of Waterford LWRP Boundaries

The Waterfront Revitalization Area (WRA) includes portions of the Hudson River, Mohawk River, the Waterford Flight section of the NYS (Erie) Canal; as well as portions of the Town and Village of Waterford that are directly related to, or supportive of, local, regional and state efforts to protect and enhance natural and cultural resources and stimulate additional tourism and economic revitalization. The LWRP waterfront revitalization area boundaries are shown on the [LWRP Boundary Map](#).

Within the Town and Village to the North of the Waterford Flight

Beginning at the Hudson River shoreline in the northeast corner of the Town of Waterford;

Then east along the Town's northern boundary with the Town of Halfmoon to a distance approximately 500' east of the Mohawk River shoreline;

Then along an arbitrary line paralleling the meanders of the Mohawk River shoreline at a distance of 500' generally south and east to Flight Lock Road at the former Alcathy Marina (State Boat Launch);

Then east along an arbitrary line running parallel to the centerline of Flight Lock Road at a distance 500' to the village's western boundary with the Town;

Then north and east along the village's western and northern boundary to the old Champlain Canal;

Then north along an arbitrary line paralleling the centerline of the old Champlain Canal at a distance of approximately 500' to the west to the Town's northern boundary with Halfmoon;

Then east to the centerline of the Hudson River, which forms the Town's eastern boundary line;

Then south along the eastern boundary line to the centerline of the Mohawk River and NYS (Erie) Canal;

Then west along the river and canal back to the beginning.

Section I LWRP Boundaries

Town & Village of Waterford Local Waterfront Revitalization Program

Within the Town and Village to the South of the Waterford Flight

(NOTE: Includes all land along the Erie Canal, Mohawk River and Hudson River, using the Canal centerline, Niagara Mohawk power transmission line right-of-ways and the CSX Railroad right-of-way as boundaries. Essentially, all the land south of the canal is included EXCEPT the expanded Sugar Loaf Pond area bounded by the CSX railroad right-of-way to the east, Niagara Mohawk power transmission line right-of-ways to the north and west, and Clifton Street to the south).

Beginning at the centerline of the Hudson River where it meets the Mohawk River;

Then east along the centerline of the Fourth Branch of the Mohawk River and NYS (Erie) Canal to the CSX Railroad right-of-way;

Then south along the railroad right-of-way to Clifton Street;

Then west along the centerline of Clifton Street and the northern boundaries of Clement Park;

Then continuing west along an arbitrary line approximately 500' north of (and parallel to) the Mohawk River shoreline to the Niagara Mohawk power transmission line right-of-way;

Then northeast along the Niagara Mohawk power transmission line right of way to the southern boundaries of the Waterford Rural Cemetery;

Then generally southeast along the cemetery boundaries/power transmission line right-of-way to the CSX Railroad right-of-way;

Then continuing northeast along the CSX right-of-way back to the beginning at the canal centerline.

Sub-Areas

The Waterfront Revitalization Area has been subdivided into eight sub-areas, with five in the town and three in the village (see [LWRP Sub-Area Boundaries Map](#)). It should be noted that although the LWRP sub-areas overlap considerably with the sub-areas in the Comprehensive Plan, they are not exactly the same.

TOWN OF WATERFORD

1. **Hudson River Road Sub-Area (TW-1)**: All the area bounded by the Town of Waterford's northern boundary with Halfmoon, Hudson River to the east, the old Champlain Canal to the west, and the village of Waterford's northern boundary to the south. This sub-area was

Section I LWRP Boundaries

Town & Village of Waterford Local Waterfront Revitalization Program

established to contain the predominantly industrial and manufacturing uses in this section of the town, as well as the 100- and 500-year flood zones.

2. **Upper Mohawk/North Waterford Flight Sub-Area (TW-2)**: This sub-area is bounded by the Town's northern line and an arbitrary parallel line 500' north of Flight Lock Road's centerline; an arbitrary parallel line 500' inland from the Mohawk River shoreline; the centerline of the Mohawk River (the Town's boundary with Cohoes); and the village's western boundary. This sub-area contains the Mohawk River shoreline above Cohoes Falls and the northern shoreline of the Waterford Flight.
3. **Saratoga Avenue/Northside Historic District Sub-Area (TW-3)**: All the land area bounded by the village's southern boundary; the railroad tracks to the west of Saratoga Avenue; the town's southern boundary with Cohoes; and the Mohawk River. This sub-area is designed to encompass the National and State Register-listed Northside Historic District.
4. **Lower Mohawk/South Waterford Flight Sub-Area (TW-4)**: All the land on the south side of the Waterford Flight and bounded by the village's western boundary to the east; an arbitrary line 500' feet south of, and parallel to, the Flight's centerline extended to the Niagara Mohawk power line right-of-way and including Waterford Rural Cemetery; the power line ROW south to an arbitrary line 500' north of, and parallel to, the centerline of the Mohawk River; and the CSX Railroad right-of-way to the west of the rear property lines of parcels located on Saratoga Avenue. This sub-area is designed to encompass much of the land in the minimally developed triangular area between the Waterford Flight, Mohawk River, the Niagara Mohawk power transmission line right-of-way, Waterford Rural Cemetery, and Mohawk View Avenue. It excludes the predominantly residential areas of Northside and the Sugar Loaf Pond areas.
5. **Five Islands Sub-Area (TW-5)**: This sub-area includes Peebles Island, Bock Island, Second Island, Goat Island and a small unnamed island, as well as the Mohawk and Hudson Rivers within the Town of Waterford.

VILLAGE OF WATERFORD

1. **Northern Village Sub-Area (VW-1)**: All the area bounded by the Hudson River to the east; the village's boundary with the town to the north, west, and south; the centerline of Eighth Street; and the centerline of Division Street. This sub-area is intended to concentrate the predominantly residential area north of the Broad Street commercial district.
2. **Broad Street Commercial Sub-Area (VW-2)**: All the area bounded by the centerline of Division Street to the north; the Hudson River to the east; the centerline of Eighth Street to the west; and the centerline and includes portions of streets to the north and south of Broad.

Section I LWRP Boundaries

Town & Village of Waterford Local Waterfront Revitalization Program

This sub-area is designed to contain the village's commercial district and includes street segments north to Division and south to Middle Street as well as that portion of the Village located on the South Side of the Canal.

3. **Battery Sub-Area (VW-3):** All the area bounded by the centerline of Middle Street to the north; the centerline of Eighth Street to the west; the centerlines of the Mohawk River and NYS (Erie) Canal to the south; and the Hudson River to the east. This sub-area is intended to concentrate on the predominantly residential area south of the Broad Street commercial district, as well as the village's major waterfront revitalization sites.

Section II Inventory and Analysis

Town & Village of Waterford Local Waterfront Revitalization Program

Section II Inventory and Analysis

A. REGIONAL SETTINGS AND COMMUNITY CHARACTERISTICS

The Town and Village of Waterford are located in the southeastern corner of Saratoga County in the Albany-Schenectady-Troy Metropolitan Statistical Area (see [Regional Setting Map](#)). The Town of Waterford encompasses approximately 6.6 square miles and has a total population of 8,695. The Village of Waterford, the oldest incorporated village in the United States, occupies 0.3 square miles in the southeastern portion of the Town and has 2,492 residents.

The Town and Village of Waterford are uniquely positioned at the convergence of the Hudson River, the Mohawk River, and the New York State Barge Canal. The Town of Waterford is bordered by the Town of Halfmoon to the north and west. The Town of Schaghticoke and the City of Troy in Rensselaer County lie directly to the east, across the Hudson River, while the City of Cohoes and the Town of Colonie in Albany County are located on the opposite side of the Mohawk River, south and west of the Town.

The Town of Waterford includes five high, rocky, small islands that are situated in the Fourth Branch of the Mohawk River, which runs between Peebles Island and Waterford. Although their names have varied considerably over time, these islands include Peebles Island (the largest), Polrump Island, Bock Island, Second Island, Goat Island and a small unnamed island.

B. HISTORICAL BACKGROUND¹

The Town and Village of Waterford have a rich architectural, industrial, cultural and maritime heritage. Part of New York State's Capital District, the town and village have always been defined by their location along the banks of a horseshoe bend in the Mohawk River, where the Hudson and Mohawk Rivers and Champlain and Erie Canals intersect. As a result of this ideal location at the head of Hudson River sloop navigation, Waterford served historically as a hub for a network of waterways which opened far reaching markets to the north and west. It now serves as the keystone of the *RiverSpark* Heritage Area (formerly Urban Cultural Park) and the Hudson Mohawk Industrial Gateway, with the other participating communities of Troy to the east, and Cohoes, Watervliet and

¹See Sydney E. Hammersley, *The History of Waterford, New York*, 1957; Hayden & Brown, *Saratoga County Heritage*, 1974; Saratoga County Historical Survey; Saratoga County Historical Society's Narrative History of Founding; Paul R. Huey, *History & Cultural Resources of the Islands Within the Fourth Branch of the Mohawk River, Village of Waterford, Saratoga County, New York*, New York State Office of Parks, Recreation and Historic Preservation Research Unit, February, 1997; and Paul R. Huey, *An Archeological and Documentary History of Peebles Island State Park, Waterford, New York*, NYSOPRHP Research Unit, June 1996.

Section II Inventory and Analysis

Town & Village of Waterford Local Waterfront Revitalization Program

Green Island to the south. Waterford is also the eastern anchor of the Mohawk Valley Heritage Corridor and Erie Canal, and the southern anchor of the Champlain Canal Trail. In addition, Waterford has been designated as a model community within the Hudson River Greenway network and the Hudson River has been designated as an American Heritage River.

The history of Waterford can be traced back nearly 400 years to 1609, when Henry Hudson sailed his ship the *Halfmoon* up the Hudson River. The principal inhabitants of land at the confluence of the Mohawk and Hudson Rivers were the Mohican or “river” Indians, who recognized both the strategic importance of the area and its abundant water and fertile land for agriculture. Archeological excavations and site disturbance related to building construction and human habitation in the 1800s and 1900s have revealed numerous Indian burial sites and artifacts around Peebles Island and within Waterford village. Mohican settlements and related activity are mentioned in the correspondence of early Dutch settlers and travelers, and the Van Rensselaer Patent Map of 1630 identifies Peebles (or Haver) Island as the site of the Mohican’s Moeneminnes Castle. The Mohicans continued to inhabit and farm portions of Peebles Island and the present-day Village of Waterford into the early 1700s.

The first European settlers, who were mainly Dutch traders and trappers relocating from Manor Rensselaerwyck to “Halfmoon Point” (as Waterford was originally known), arrived in Waterford in 1622. Within a short time, these early settlers numbered approximately 80 people, including eight slaves. The Waterford area held tremendous potential for the new settlers, offering excellent land for farming, plentiful fish and game in the rivers and woods, and an excellent location for the lucrative fur trade. To the consternation of the Dutch, the success of the fur trade attracted many English settlers from Connecticut and elsewhere in New England.

The area now known as Waterford was originally part of the old Van Schaick (or Half Moon) Patent, which was granted to Captain Goosen Gerritsen Van Schaick and Philip Pietersen Schuyler in 1664. This patent included 1,124 acres of land and water and encompassed the present-day Village of Waterford, the northern portion of the Town of Waterford, half of Cohoes Falls, ten Mohawk River Islands, and additional lands. In 1674, Schuyler deeded his interests to Van Schaick, and upon Van Schaick’s death in 1676, the land passed to his wife. In 1678, she sold two parcels containing the 1,124 acres to Roelof Garretse Vanderwerker. This final land deal is considered to be the founding of Waterford.

The name “Waterford” is derived from the ford (a shallow part of a water body where one can wade across) that used to exist across the Mohawk River in the area of the existing Peebles Island bridge. First used by the Mohicans, this ford appears on numerous early maps. Peebles Island and the ford were heavily used by soldiers from Fort Orange (Albany) as the northern route along the Hudson to Canada throughout the 1700s, and are mentioned in the correspondence of soldiers and commanding officers during the French & Indian War and the American Revolution. Samuel Blodget’s 1755

Section II Inventory and Analysis

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annotated map indicates that the ford was never more than two feet deep during summer. The name Waterford was not in common use until it was popularized by soldiers during and after the American Revolution.

Numerous historians have noted that military action in and around Peebles Island was directly related to major battles at Valcour Island, Oriskany, Bennington, Saratoga, Fort Montgomery, Klock's Field, Yorktown and Johnstown. Most notably, the northern tip of Peebles Island was fortified under the direction of Polish engineer Thaddeus Kosciuszko when General Schuyler's northern army was encamped at Van Schaick Island to the south. This area was considered strategically important as the most eligible point at which to make a stand in defense of Albany against British attacks from the north and west. Although somewhat disturbed by the construction of railroad bridges and the Cluett Peabody Company bleachery during the nineteenth and twentieth centuries, these fortifications are still extant. A military outpost consisting of officer's barracks, soldiers' barracks, a commissary room, and storehouses was also located at Halfmoon Point in the 1700s.

The Village of Waterford was formally incorporated in 1794, and is oldest continuously incorporated village in the country. It was laid out in a grid pattern of streets, blocks and numbered lots. The original street plan of the Town and Village was nearly the same as it is today. A bridge was constructed over the Mohawk River to Cohoes in 1795, ending much of Waterford's importance as a river fording place. A more impressive covered wood truss bridge was built over the Hudson River to Lansingburgh in 1804. Known as Union Bridge, it spanned 797 feet and was the first bridge to cross the Hudson River. After surviving for 105 years, Union Bridge was destroyed by fire on July 10, 1909.

The Town of Waterford was established in 1816 and encompassed the same boundaries as it does today. The 1866 Beers map of the Town shows the same basic street layout, including Hudson River Road, Middletown Road, Fonda Road and Saratoga Avenue, as well as the Champlain Canal and the Albany, Vermont & Canada and Rensselaer & Saratoga railroad right-of-ways. For the most part, the Town was sparsely settled during this period, with the greatest concentration of buildings found along the southern end of Hudson River Road, along Fonda Road just outside the village, and along Saratoga Avenue.

By 1818, the Village was prospering, prompting the New York State Legislature to incorporate Mrs. Emma Willard's female seminary at Waterford. A building known as Demarest's Tavern was rented for the use of the school and Mrs. Willard relocated from Middlebury, Vermont to Waterford and opened the school with a number of pupils. Although she hoped the Waterford school would receive financial assistance from the state legislature, little was forthcoming, and by the time the lease on Demarest's expired in May 1821, Emma Willard had agreed to take charge of a girl's seminary being established by some wealthy citizens of Troy.

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The greatest influence on Waterford's development were the construction of the Erie and Champlain Canals, which opened in 1823 and 1825, King's Power Canal, which opened in 1828, a highway between Troy, Waterford, and Ballston Spa, and the Rensselaer and Saratoga Railroad, which opened in 1832.

The Champlain Canal became a major transportation route to the north, opening markets in northern New York, Vermont and Canada. As the southern terminus of this 60-mile long canal, Waterford became a major hub for shipping during the canal's operation. Similarly, the Erie Canal, which was originally 338-miles long and included 83 locks, quickly became the gateway to the west, conveying goods and immigrant settlers to newly opened or accessible land. Both canals acted as a major spur to economic development across the state and had a dramatic impact on the history of Waterford. They are discussed at greater length in Section B below. King's Power Canal was largely responsible for the development of the Northside and Dial City sections of Waterford.

With the completion of the Champlain and Erie canals, Waterford experienced tremendous growth as houses for the canal workers, stores, warehouses, stables, hotels, saloons and other buildings sprang up along their banks and along surrounding streets. As this development took place, the area south of Broad Street and east of Fifth Street became known as "Canal Town." Broad Street included a mixture of houses and businesses such as a grocery store, offices, leather store, drug stores, saloon, lumber office, hardware store, shoe store, meat market, tin shop, blacksmith shop and a hotel. Other canal town streets were predominantly residential between Broad and the Champlain Canal and Mohawk River, with other uses concentrated along the canal and scattered among the residential uses. Button's Engine Factory was located along the Champlain Canal on the east side of Third Street. Other industrial uses were concentrated along King's Power Canal. These neighborhoods are still characterized by narrow streets with many small wood frame and brick buildings consistent in scale and architectural detailing. The canals also necessitated the development of several large barns for mules and at least forty saloons and eating places were located in the town and village during the 1800s.

In 1828, local entrepreneur and inventor John Fuller King constructed King's Power Canal along the Fourth Branch of the Mohawk River. This section of the river dropped sixteen feet, making it ideal for power generation. Consequently, two dams were built across the Mohawk between Waterford and Bock and Peebles islands to divert water into the ½-mile long, 53-foot wide canal. Although much of the canal has been filled in, it still appears on USGS quadrangle maps. King's Power Canal (also known locally as King's Ditch) was considered one of the major engineering feats of its time and was a major stimulus to the development of Waterford, particularly the "Northside" area, which was named because of its location on the north side of the Cohoes Falls and the Cohoes manufacturing district.

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Early maps indicate the location of numerous factories along the canal, including flour mills, twine factories, a screw plate manufacturer, a twine factory, and a machine shop. Other products made at factories in this area included lathes and knitting machinery; lamp black factories; a cement plant in which hydraulic cement was made by Canvass White, engineer of the Erie and Champlain Canals; furniture factories; barrel factories; and distilleries; tools such as pliers, stocks, dies, pipe taps, and reamers; cold-pressed nuts; buttons; strawboard; clothing, cook stoves, ink and fire engines. Each factory included its own sluiceway and gateway to the canal. Factory ruins still exist along the canal. The barrel factory business, which was in existence until the 1970s, was also related to the canals, since barrels for liquids and flour were needed for shipment. As a result, at least six barrel factories were located in this area during the nineteenth century. With the general concentration of factories and mills in this area, Saratoga Avenue became known as "Mill Owners Row." William Mansfield and Hugh White, brother of Erie and Champlain Canal engineer Canvass White, had both built Greek Revival houses in this area by 1830.

Before the 1830s, a stage coach was the only means of transportation in and around Waterford. In 1832, some businessmen from Troy were granted permission to build a road from the City of Troy through Waterford to Ballston Spa. The contract gave businessmen the right to move people, animals and property along the route "...by the power and force of steam, animals, or any mechanical power..." The road was constructed and operated with very limited success. For many years, the line carried a single horse-drawn car, called "Old Fiske's Hearse." It was used mainly for local business between Troy and Waterford. However, due to its limited success, the line was eventually turned over to its creditors.

The next stimulus to Waterford's development was the incorporation of the Rensselaer & Saratoga (R & S) Railroad on April 4, 1832. This line originated in Troy, crossed the Hudson River to Watervliet (West Troy) to avoid the steep tolls a Lansingburgh crossing would have entailed, ran northward across Van Schaick and Peebles Island and continued on to Mechanicville, Ballston, and Saratoga Springs. Preceded by the Albany & Schenectady Railroad and the Saratoga & Schenectady Railroad, the R & S was the third railroad to be built in New York State. The line primarily served tourists and sightseers to Saratoga Springs. Waterford was also served by the Albany, Vermont & Canada Railroad. Between 1832 and 1870 the R & S expanded its route offerings by leasing lines from other companies, and became part of the Delaware & Hudson system in 1870 through a series of durable leases. By the late 1800s, the D & H Railroad had taken over most rail service through Saratoga County. In 1896, D & H built a combined passenger station and freight house at the northern end of the Village of Waterford. Today, only the D & H freight lines run through Waterford; no passenger service is available.

Following the opening of Main Street in 1846, a small community known as "Dial City" had sprung up on the small island formed by the Fourth Branch of the Mohawk to the south, the Erie Canal to the north, and the old Champlain Canal to the west. The ensuing residential and industrial

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neighborhood derived its name from a sundial which graced the street. Dial City's earliest industries included the William Burton and Sons Sawmill and the Mohawk and Hudson Iron Foundry and Machine Shop (later Eddy Valve). Burton and Sons was one of the country's earliest and finest veneer works, importing mahogany, rosewood, satin and zebra wood and shipping five million feet of veneer each year to all parts of the world. The Mohawk and Hudson/Eddy Company originally made iron castings and steam car wheels, lathe chucks, wine and straw presses, iron statuary and stoves, but later focused on valve and hydrant manufacturing. The community did not fully develop until after the Civil War, but by the late nineteenth century it included several factories surrounded by small, frame working-class residences, support businesses, commercial enterprises and a public school. Following several fires, demolition and the construction of a town park, Dial City has lost much of its historic character. A historic mill building and a small residential neighborhood are the only survivors of this once heavily industrial area.

There is a limited amount of published information available describing the history of roadways in Waterford. There was a toll road running through the Town called the Waterford Turnpike. The road crossed the southern portion of Saratoga County from Waterford to the Cross Tavern in Halfmoon, to Van Camp's Tavern in Clifton Park, the southern end of Ballston Lake, and on to its terminus at Johnstown. Described as one of the first county highways in Saratoga County, there was a north-south arterial linking Waterford with Mechanicville. The paving of roads in Saratoga County began in the early 1900s. In 1909, there was a recorded 55 miles of State and County highways, 16.5 miles of resurfaced and oiled roadways, and 6 miles of asphalt road. The original Troy-Waterford (Union) Bridge was replaced by an iron truss bridge which was constructed for the Union Bridge Company by the Phoenix Company, with Boller and Hodge Engineers in 1909.

The 1866 Beers maps indicate a highway transportation network nearly identical to that found today. The Village street system is essentially the same as the modern system, although it does not show Columbia and State Streets. These streets were probably added in the late 1800s or early 1900s. The 1866 Beers map also shows similar street patterns as those now existing in the Town. Roadways include Hudson River Road, Fonda Road, Waterford Flight Road, and Saratoga Avenue, although these streets are not named. Since this map was prepared, numerous side streets have been built to accommodate new development, particularly residential housing developments from the 1940s to the present.

Waterford was also home to a fire engine production industry. For a short time in the early 1830s, John F. Rogers made the "Rogers Patent" hand pump engines along King's Canal until the business was taken over by William Platt and Nicholas B. Doe. Doe and Platt soon became partners with Lysander Button and Robert Blake, who later acquired the entire business. In 1850, the plant was moved from King's Canal to a new steam-powered plant in the Village alongside the Champlain Canal. The new factory produced both hand pump and steam powered engines. In 1860, Button sold the company to his son and the company became known as L. Button & Son. Their high quality

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machines were sold throughout the United States and in Canada, Europe and South America. In the late 1800s, the Button Company joined with other small companies and eventually became known as the American-LaFrance Fire Engine Company, which is still in operation in Elmira, New York.

In 1847, George Washington Eddy founded the Mohawk and Hudson Iron Foundry and Machine Shop, which manufactured stoves, machine castings, railroad car wheels, architectural ironwork, statuary, and valves. Eddy won a medal for his tapered seat valve at the 1893 Columbian Exposition. Located on South Street, the company became known as the Eddy Valve Company and produced a variety of goods until the 1960s. It was destroyed by fire in 1978. John Ford incorporated the Ford Manufacturing Company in 1891 and constructed a large textile mill on the Hudson River to the north of the village. Later purchased by the Reis Company, the mill was also in operation for much of the twentieth century. Its buildings have also been demolished. The Ormsby-Morris Textile Mills (later Laughlin) constructed a textile mill along Mohawk Street in 1894. Currently occupied by Ursula of Switzerland, these buildings have housed the Waterford Knitting Company and the Laughlin Company.

The Waterford Gas Light Company was chartered in 1858 and first produced gas in 1860. With buildings located on South Street, the company was headed for much of its history by William Humphreys, who learned to manufacture gas by burning resin and sawdust in England. The gasworks included a gas generator and a circular gas holder, and continued in operation until 1909. The Waterford Waterworks were constructed to the north of the Ford/Reis Company textile mill in 1914 and are still in operation.

The Erie Canal was substantially enlarged and improved between 1905 and 1918. During these years, most of the original locks were abandoned and the famous Waterford Flight was constructed, extending from the Mohawk River at Lock 2 in the Village to Crescent Lake on the Mohawk River above the Cohoes Falls at Lock 6 in the Town. The New York State Barge Canal (part of the New York State Canal System) allows for the shipment of goods on much larger vessels.

The five islands in the Fourth Branch of the Mohawk have also played an important role in the history of Waterford and the surrounding area. For the most part, these islands have always been used predominantly for agricultural and recreational purposes and, with the exception of Peebles Island, never experienced significant development. Peebles Island was a popular location among the social groups and organizations of Cohoes, Waterford and Troy for picnicking. At least eight families lived and operated farms on the island until 1909, when Cluett Peabody & Company acquired the island, demolished most of the houses and farm buildings, and built a large bleachery complex.

The Cluett Peabody bleachery, which was built between 1910 and 1912, included eighteen buildings and structures for administrative offices, the storage of chemicals and materials, and operation of its

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various departments (greige and singe, mercerizing, bleaching, finishing, compressive shrinkage/sanforizing, fold and examine, and ship storage and shade departments). The bleachery was in operation for most of the twentieth century. By the 1960s, the company was struggling to remain competitive and finally closed, selling Peebles Island to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). In the ensuing years, several of the buildings have been rehabilitated for use by OPRHP's historic sites bureau, field services bureau, collections care and security staff.

In 1930, the colorful Frederick W. Kavanaugh deeded Second/King's Island (next largest after Peebles) to Camp Kavanaugh, Inc. of Waterford, noting that "this conveyance is made with the desire that the premises...be used as a camp by the Boy Scouts of Waterford and other uses it shall determine." Although Camp Kavanaugh was incorporated in 1929, little else is known about its history or use. Frederick Kavanaugh was the son of knitting mill owner Luke Kavanaugh. After working in the mill as a boy and young man, he and his brother became partners in the mill upon his father's death. He later owned a hotel in Cody, Wyoming that was named after his lifelong friend William F. "Buffalo Bill" Cody and had real estate interests in Queens, New York City. He also served as Saratoga County sheriff, chaired the Saratoga County Republican Committee, and represented Waterford in the New York State Senate.

The islands are considered to be archeologically sensitive and likely to produce significant information regarding Native American habitation, Depression-era Boy Scout camping, and early industrial and building practices.

Many of Waterford's industries remained in operation for much of the twentieth century. However, as freight traffic on the canals diminished and these older industries closed their doors, Waterford, like most of the northeast, experienced an economic decline. This situation has been somewhat reversed as large industries such as G.E. Silicones, American Tissue, Golub Corporation (Price Chopper), Evonik Degussa, and others located in the northeastern part of the Town. Mohawk Paper is the only major industry remaining in the once heavily industrial Northside and Dial City areas of Waterford.

Today a number of state historical markers call attention to Waterford's rich history. These markers are intended to call attention to the White Homestead; "Up Country," the home of William Punderson Mansfield, Halfmoon Fort, Colonial Military Route along Fonda Road; a colonial river fording location; and the Village of Waterford (oldest incorporated village). In recognition of the importance of their historic and cultural resources, and the potential of heritage tourism as an economic revitalization tool, the Town and Village have joined with neighboring communities as part of the Hudson Mohawk Industrial Gateway; Hudson Valley Greenway; RiverSpark Heritage Area; Champlain Valley Heritage Corridor; Mohawk Valley Heritage Corridor and similar efforts.

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Community Planning and Development Initiatives

Historic Preservation and Greenway Initiatives

The Hudson-Mohawk Industrial Gateway, a nonprofit educational corporation chartered in 1972, was founded for the purpose of encouraging the adaptive reuse of commercial and industrial buildings in the five communities of Troy, Waterford, Cohoes, Green Island and Watervliet. The Gateway sponsors annual tour programs, research and publication on the area's industrial past and serves as an advocate for the preservation and re-use of historic industrial architecture at a local and state level.

Commissioned by the Gateway in 1975, the *Hudson Mohawk Industrial Gateway City Edges Final Report: The Preservation and Utilization of 19th Century Industrial Architecture in the Hudson-Mohawk Region* outlined the significance of industrial sites throughout the region, including Waterford, and described how their preservation could have a positive impact on downtown revitalization. Preservation efforts were suggested along three main courses: the placement of sites on the National Register of Historic Places, guidance on proper maintenance to property owners, and the development of plans for adaptive reuse. The study also recommended tourism programs to publicize historic sites and open ongoing industrial processes to public observation.

The *RiverSpark Urban Cultural Park 1984-86 Management Plan* for the Hudson Mohawk Urban Cultural Park Commission (now Heritage Area Commission) included projected programming for the communities of Troy, Waterford, Cohoes, Green Island, and Watervliet. These communities came together to plan for and develop the Hudson-Mohawk region as a new type of park that would preserve national historic legacies and encourage many beneficial uses from a unique cultural landscape. The concept of RiverSpark formed the basis of a new statewide system of Urban Cultural Parks (UCPs), with the four goals of preservation, education, recreation and economic development, focused on labor and industry. Through RiverSpark, the historic resources and rich heritage of the area would be preserved, interpreted, and promoted.

In spite of a positive early start and strong plans, UCP plan implementation has been slow. The economic development component of the program has never been adequately funded or promoted, and several theme attractions planned for key locations within the region did not materialize. However, visitor centers have been developed at the Burdett Building in downtown Troy and at the Cohoes Music Hall in Cohoes. The RiverSpark Visitor Center in Troy is currently operated by the Hudson Mohawk Industrial Gateway under contract to the City of Troy.

The passage of the Hudson River Valley Greenway Act of 1991 combined the efforts of the Hudson River Valley Greenway Council and the Heritage Task Force for the Hudson River Valley, establishing a redefined Council and the Greenway Conservancy to provide direct assistance to its

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ten county constituency. The main goal of both the Council and the Conservancy was the development of a regional planning compact focused on both the riverfront and the countryside immediately beyond. The *Hudson River Valley Greenway Report* (1991), produced by the Greenway Council, established that the quality of the natural environment and the protection of the Valley's heritage are the basis for the Greenway, recognizing that the Valley is a place where the future must be built in harmony with the region's natural and historic heritage.

Since the passage of the Greenway Act, the Conservancy has designated model communities in each of its ten riverfront counties. Waterford was designated as Saratoga County's community, and has received funding assistance from the Greenway for the development of a new comprehensive plan, which is being prepared simultaneous with this LWRP.

Champlain Canal Trail Scenic Byway

A scenic byway has been proposed for a 64-mile section of Route 4 from Waterford to Whitehall along the Hudson River and the Champlain Canal. The byway includes lands within Saratoga and Washington Counties and encompasses historic and recreational sites within eleven towns, nine villages, and one city. The byway would be called the Champlain Canal Byway.

A Champlain Canal Scenic Byway Steering Committee was established in 1996 and includes representation from each community along the route, including the Town and Village of Waterford. A number of subcommittees were formed to address the New York State Byways nomination criteria of public participation, stewardship, transportation, marketing, interpretation, and finance and management. Coordinated by the Saratoga County Chamber of Commerce, the Steering Committee has met regularly for several years and has conducted numerous outreach meetings with local officials and residents to generate support.

The Steering Committee received a grant from the NYS Department of Transportation in 1999 to develop the corridor management plan required for designation of the scenic byway. The Enhancement Plan was completed and submitted to the NYS Department of Transportation's Scenic Advisory Board for nomination.

The Draft Enhancement Plan outlines the visions, goals, objectives and recommendations for designating and promoting the Champlain Canal Byway. The proposed theme for the byway focuses on the corridor as a historic resource that also offers scenic and recreational opportunities, and is captured in the phrase, "Pathways for America's History." The plan identifies a marketing strategy and describes how the resources of the corridor will be managed, protected, and promoted. It also recommends transportation improvements along the corridor taking into account roadways, bike paths, walkways, and boat launches as well as signage. The goals of the Champlain Canal Byway include the identification, promotion and interpretation of historic resources; improved physical and

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visual access to the Hudson River and Champlain Canal; strengthened links between historic villages, attractions, and adjacent waterways; enhanced stewardship of historic, water and scenic resources; and the development of services and facilities to meet the needs of visitors and residents.

Benefits of participation in New York State's Scenic Byways Program include increased tourism business, tax revenue and jobs; access to government, private and foundation funds; coordinated marketing efforts; and enhanced community pride. Designated scenic byways are also identified on federal, state, regional and auto club maps. The proposed Champlain Canal Byway is expected to link current and proposed scenic byways along key transportation routes in New York State, fostering tourism growth and increasing awareness of the region's historic and recreational opportunities.

Although formal designation of the scenic byway is still pending, the Saratoga County Chamber of Commerce has developed and distributed brochures to promote the Champlain Canal Byway. One such brochure lists the Waterford Flight of Locks and the Waterford Museum and Cultural Center as attractions to visit along the Route 4 corridor. In addition, several communities have identified historic sites, proposed recreational enhancements, and developed new initiatives to coordinate with the scenic byway effort. The Canal Harbor Center project in Waterford, including the Welcome Center currently under construction (see below), is expected to be an important component, since it will help to interpret the rich history of the Champlain Canal/Hudson River region.

Canal Projects

In 1993, the administrative authority for the New York State Barge Canal System was transferred from the NYS Department of Transportation to the NYS Canal Corporation, a newly-created office within the NYS Thruway Authority. The Canal Corporation was charged with revitalizing the canal system as an historic and recreational resource, leading to expanded tourism and economic development. A Canal Recreationway Commission was formed and charged with developing a statewide plan for the revitalization and redevelopment of the canal, with recommendations to improve access, increase recreational opportunities, preserve and interpret historic and natural resources and foster economic development.

During the development of this plan, several community members formed the Waterford Canal Development Committee. The role of this committee was to promote the Town and Village and facilitate their involvement in the statewide canal plan, recognizing Waterford's location in the canal system as a potential asset for economic development, tourism, and recreation.

In the *New York State Canal Recreationway Plan*, Waterford was designated as a major canal harbor, an important node and landing site along the State Barge Canal System. These sites are intended to provide "enjoyment for tourists and residents and access to canal-related amenities and

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services.” In addition, four specific proposals for the waterfront in the Town and Village of Waterford were included in the August 1994 *Eastern Gateway Canal Regional Plan*: the Waterford-Old Champlain Canal Linear Park (Cohoes to Erie Canal Lock 2), located along a section of the old Champlain Canal between the Mohawk River and Erie Canal Lock 2 Park; the Waterford Docks, a narrow sliver of land along the stretch of waterfront between Button and Battery Parks; Battery Park to the Flight of Locks, a series of recreation-oriented parks surrounding Erie Barge Canal Locks 2-6; and Flight of Locks to Vischer Ferry Trail, a segment of the Saratoga County Heritage Trail, extending from the Waterford Flight of Locks westward to the Vischer Ferry Nature Preserve.

Since the completion of these reports, the Waterford Canal Development Committee has remained active in promoting waterfront development and supporting canal projects in the Town and Village. The committee has worked with the NYS Canal Corporation to access funding for projects, developed trails (one of which follows the historic towpath of the old Champlain Canal), and printed brochures. The committee also produces several annual festivals, including the Canalfest and the popular Tugboat Roundup, which provide food and entertainment and celebrate the history of the canals.

One of Waterford’s most ambitious planning initiatives began in 1997 with the U.S. Department of Housing and Urban Development’s Canal Corridor Initiative. The Canal Corridor Initiative made federal CDBG and Section 108 Loan funds available to communities located along the New York State Canal System. The funds were targeted for the economic revitalization of these communities. The Town and Village of Waterford developed a Waterford Welcome Center and a business loan fund, and the development of an inn/restaurant.

The Waterford Welcome Center, which opened in 2000, is the result of collaboration between the Town and Village of Waterford, the Mohawk Valley Heritage Corridor, the NYS Canal Corporation and the U.S. Department of Housing and Urban Development. The facility has been constructed on a waterfront site owned by the NYS Canal Corporation, south of Lock 2, overlooking the eastern end of the Erie Canal and Peebles Island. Although the Canal Corporation retains ownership of the land, the Welcome Center is maintained by the Town of Waterford.

The Waterford Welcome Center serves as the primary visitor contact point at the eastern end of the Erie Canal and the navigational head of the Hudson River. The image it projects directly impacts the degree to which the Town and Village of Waterford are able to tap into New York’s heritage tourism potential for economic development and community revitalization purposes. It also directly influences the desire of visitors to return to the region and the ability of the state to market the region in its statewide tourism promotional efforts.

A two-story design was selected for the Welcome Center. The first floor of the structure houses a storage area for interpretive displays and maintenance equipment, restrooms, and showers for

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boaters. The second floor serves as an exhibit hall and main point of public access. It will contain models of both a canal lock and the area surrounding Waterford to demonstrate the natural and man-made characteristics of the landscape and, in particular, the physical interaction of the Canal System and the Hudson and Mohawk Rivers. Visitor services information, displays describing various historic and cultural themes and a kiosk provided by the Mohawk Valley Heritage Corridor are also located in this large second floor exhibit hall.

The Town of Waterford completed a waterfront promenade along the Canal wall leading northwest from the Welcome Center to Lock 2 of the Waterford Flight. Interpretive signs and benches are provided for visitors to enjoy the natural characteristics of the landscape and learn the history of the area. Services for boaters will be enhanced in the future. These elements constitute future phases of the Welcome Center and the Town is pursuing additional funding for these features.

The Business Loan Fund established through the Canal Corridor award is designed to assist both start-up and existing businesses in the Town and Village, create employment opportunities for Town residents, and preserve and expand the local tax base. Capitalized at \$500,000, the loan fund is administered by the Town of Waterford Industrial Development Agency. Business activity to be undertaken with assistance from the loan fund must directly result in job creation; at least 1 FTE position must be created for every \$33,000 in loan funds provided. Loans are provided at a below-market rate of interest.

The first loan request, from Burniche Piping, a start-up mechanical contracting business, was submitted to HUD in September 1998 and closed in May 1999. Seven jobs have been created to date as a result of the \$100,000 loan. The owner is looking to expand by building a new facility and may request additional funds for the project in the near future.

The third project for which the Town and Village of Waterford received funding involved the construction of an inn and restaurant at the Point, a site located on the south side of the Canal in the Village of Waterford south of Lock 2. The project was designed to support business development and job creation and expand visitor amenities in Waterford, an identified Canal Harbor in the NYS Canal System. The HUD award allowed the Town to provide a loan at a reduced rate of interest to a qualified developer for construction of the facility.

The Environmental Review for this project was completed. However, the Town received no formal responses to a Request for Qualifications (RFQ) for developers. Developers who had expressed an interest in the project are being interviewed to determine how to proceed with the planning and implementation process. Results of the developer interviews suggest that the proposed site (which is owned by the NYS Canal Corporation) is too limited and too costly to develop given current funding available. The Town was unable to identify a new site prior to the expiration of the HUD funding.

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The Town and Village of Waterford have sought additional funding from state and federal agencies for other projects linked to the canal. These initiatives complement existing projects planned or underway in the Town and Village of Waterford. In combination, the proposed activities will improve public access to the waterfront and create greater opportunities for water-based recreational activities in the Town of Waterford.

In August 1999, funds were requested from the NYS Department of State for the improvement and repair of the existing state boat launch at the western end of the Waterford Flight of Locks of the Erie Canal, located at the end of Flight Lock Road in the Town of Waterford. The property, which is commonly known as Alcahy's, is owned by the NYS Thruway Authority and operated by the NYS Canal Corporation. Elements of the project include the improvement of the existing bulkhead at the summit of the historic flight, the construction of new bulkhead, the extension of utilities to the site from an adjacent residential subdivision, and the installation of lighting along the canal walls and boat launch to provide night access to the site. The application was denied.

The Town and Village of Waterford also applied to the Hudson River Valley Greenway Council and the NYS Office of Parks, Recreation and Historic Preservation in August 1999 for funds to construct the Waterford Flight Trail between Lock 3 and Lock 4 of the Erie Canal and enhance existing access points and recreation areas near the Trail. The result of ongoing collaboration between the Town, the Village and the NYS Thruway Authority, the project would be the first of several phases of development for the Waterford Flight Trail, which would eventually extend from Lock 2 in the Village of Waterford out the Waterford Flight of the Erie Canal, along the Mohawk River connecting to the Town of Halfmoon. Although the 1999 application was not funded, the Town of Waterford will continue to identify sources and pursue additional funding for the trail project.

In addition to the wide range of canal improvement projects the Town and Village have undertaken, the Village has undertaken several initiatives to revitalize the Broad Street commercial area. Between 1983 and 1987, the Village received four grants under the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Small Cities program to implement a facade improvement program. The funds were used to rehabilitate facades of many of the commercial buildings along Broad Street between Second and Fifth Streets. The Village also expanded the municipal parking lot during the reconstruction of Broad Street by the NYS Department of Transportation.

In 1999, the Village applied to the Hudson River Valley Greenway Council for funding to rehabilitate Knickerbocker Park, located on the Hudson River at the intersection of Broad and First Streets, to create a more attractive gateway to the Village. The Village also worked with the NYS Department of Transportation and NYS Office of Parks, Recreation and Historic Preservation to rehabilitate the Peebles Island Bridge (North Bridge).

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Recognizing the importance of the downtown business district to the community's economic health, the Town and Village of Waterford are making additional improvements in the future to encourage development of specialty retail business, attract visitors, and meet the needs of local residents. Both the Town and Village have recently received several funding awards to achieve these goals. In 2000 the Town of Waterford received funding for the establishment of a microenterprise program through the U.S. Department of Housing and Urban Development CDBG Small Cities program the Town of Waterford's Canal Harbor Enterprise Center Microenterprise Assistance Program is a comprehensive program includes classroom training, direct technical assistance, and start-up financing for new business enterprises.

In 2001, the Village secured a \$165,000 matching grant through the NYS Environmental Protection Fund administered by the NYS Office of Parks, Recreation and Historic Preservation for the preparation of design guidelines and implementation of various streetscape improvements within the Village's historic district. The project targets streets connecting the waterfront areas to Broad Street that are in need of improvements to make them more appealing to residents, business owners, potential investors and visitors. The design guidelines and streetscape improvements are scheduled to be completed by the end of 2004.

Most recently, the Village has secured CDBG \$400,000 in funding through the NYS Governor's Office of Small Cities to implement a façade rehabilitation program and microenterprise loan program for businesses on Broad Street in the downtown business district. The microenterprise program will assist existing and start-up businesses located on Broad Street with business improvement and expansion projects by providing technical assistance and low interest loans. Both the façade rehabilitation program and the microenterprise loan program will begin in 2005.

Economic Development

Waterford's economy is based primarily on small- and medium-sized businesses, although Momentive Performance Materials (previously GE Silicones), the largest employer in Saratoga County with approximately 1,000 workers, is located in the Town. There are several smaller manufacturing businesses in Waterford including the Evonik Degussa Corporation, Ursula of Switzerland, Mohawk Paper Mills, Maximum Security, American Tissue, and All-Ten Energy Systems. Broad Street in the Village of Waterford is the community's downtown business district and contains a mix of local merchants, antiques dealers, service businesses, and professional offices.

The Town and Village are interested in renovating this area and recruiting additional small businesses to complement canalize activities. Commercial activity is also concentrated along Saratoga Avenue leading north from the City of Cohoes.

Employed residents of the Town and Village work predominantly in three sectors: services, retail, and manufacturing. According to the 1990 Census, 20.2% of Town residents and 28.1% of Village

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residents work in the service sector, which includes health care and education. Approximately 11% of Town residents and 20.6% of Village residents are employed in the retail trade. Public administration is also an important source of employment for both Town and Village residents, a reflection of the opportunities residents have to work in government in the Capital Region.

Manufacturing employs about one in ten Town residents and one in five Village residents. However, changes in the regional economy have generally meant fewer opportunities for employment in the manufacturing sector and greater opportunities in various service fields. During the 1980s, there was a significant decline in the number of Waterford residents employed in manufacturing, coupled with an increase in resident employment in the service sector. Other changes have included increased opportunities for Waterford residents in finance, insurance, and real estate, communications and public utilities, and construction.

As in many small communities, Waterford's resident labor force has had to rely on commuting to employment outside the Town or Village - or even the County. Approximately 75% of Town residents and 70.5% of Village residents work outside Saratoga County, but within the Capital Region. This can be attributed to the employment opportunities available in other parts of the region, including the City of Albany.

Demographic Analysis²

In 2000, the population of the Town of Waterford, including the Village, was 8,515. The Town has experienced steady growth over the last several decades, with the most dramatic increase in population occurring during the 1980s, a time when many new housing units were developed in the Town. Between 1980 and 2000, the Town (including the Village) experienced a cumulative 18% increase in population. Figures from the Capital District Regional Planning Commission (CDRPC) indicate that population growth in the Town through the year 2040 is likely to be low, with an increase of about 5% over the next thirty years.

According to 2000 figures, the Town of Waterford is growing at a slower rate than Saratoga County. Compared to surrounding communities, Waterford's rate of population growth is lower than the Town of Halfmoon but higher than the Town of Schaghticoke. The Cities of Troy and Cohoes both lost population during the 1980s.

²A more detailed demographic analysis is included in the Town and Village of Waterford's Comprehensive Plan, which was prepared concurrently with this document.

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The Village of Waterford occupies a land area of 0.3 square miles in the southeastern section of the Town. With approximately 2,200 residents in 2000, the Village accounts for about 25% of the Town's overall population but less than 5% of its land area.

In contrast to the Town of Waterford, the Village of Waterford has lost population in recent decades, declining 8% between 1980 and 2000. Similar to other small communities in New York, the Village has had a relatively stable or declining population base, with little potential for significant growth. Projections from CDRPC indicate only marginal change in the size of the Village population relative to that of the Town. By 2040, the Village is expected to have about 2,035 residents, comprising 23% of the Town's population, compared to 33% in 1980.

According to the Census Bureau, there were 3497 households in the Town of Waterford and 957 in the Village in 2000. This represents a 3% increase in the Town but a 5% decrease in the Village compared to 1990.

C. HUDSON RIVER, MOHAWK RIVER, ERIE CANAL, CHAMPLAIN CANAL³

From its original settlement by Native Americans, and the European settlement that followed Henry Hudson's explorations in 1609, the history and development of the Town and Village of Waterford have largely been shaped by their location at the confluence of the Hudson and Mohawk Rivers and the Erie and Champlain Canals. As a result, the importance of the rivers and canals to the development and vitality of Waterford cannot be overemphasized. The waterways provided a crucial transportation link which allowed the movement of people and goods over long distances, and readily available water power fueled rapid industrial growth.

Although the need for water transportation and power has declined almost to the point of insignificance for local residents and industries, the use of waterways for recreational uses and the appreciation of their scenic beauty is on the rise. With this in mind, the Town and Village of Waterford continue to work closely with state agencies and other municipalities throughout the region to improve waterfront areas, to establish links between downtown and waterfront areas, and to connect the region's diverse recreational assets. Most of these efforts have been described in the Regional Settings and Community Characteristics section above; the purpose of this section is therefore to put the waterways into context and to highlight their continuing importance to the economic vitality of Waterford.

³See National Park Service, *The Erie Canalway* (1998); *A Hudson River Greenway*, Report to Governor Cuomo and NYS Legislature (1991) and *Regional Tourism Strategy Final Report* (1995); Mary Means & Associates, *Management Plan for the Mohawk Valley Heritage Corridor* (June, 1997); Ralph Andrist, *The Erie Canal* (Mahway, NJ: Troll Associates; and Michele A. McFee, *A Long Haul: The Story of the New York State Barge Canal* (Fleischmanns, NY: Purple Mountain Press, 1998).

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Hudson River

The Hudson River is the eastern boundary of the Town and Village of Waterford and provides these communities with a direct transportation link to New York City and Lake Champlain (via the modern Champlain Canal which is the Hudson River channel for much of its length).

The river, which begins as a crystalline stream at Lake-of-the-Clouds in the Adirondack Mountains and ends at the Verrazano Narrows Bridge in New York Harbor, is over 315 miles long and travels through 19 counties. It serves as a major transportation corridor for the port cities of Albany, Newburgh, Kingston, and Poughkeepsie, and links many other communities on both sides of the river. Heading north from New York City, the river's breadth includes the expansive Tappan Zee, the Hudson River Palisades, numerous historic homes (Boscobel, Clermont, Hyde Park, Montgomery Place, Livingston Manor, Wilderstein...), West Point Military Academy, the impressive Storm King Mountain, the scenic Catskill Mountains which inspired the Hudson River School of painting, and the Adirondacks. The Hudson River Estuary, a unique natural resource, extends for 154 miles of the river's 315-mile length and is home to over 206 species of fish. The Hudson River valley is also an important flyway for migratory birds and is home to many endangered and threatened species such as bald eagles and heartleaf plantain.

Because of this abundance of natural, historical and cultural resources, the Hudson River was recently designated an American Heritage River by the federal government. It is one of America's most important commercial and recreational waterways and is recognized as an estuary of national importance.

Mohawk River and Erie Canal

The Mohawk River is a vital link in the transportation and recreation waterways of the northeast and forms the Town and Village of Waterford's western and southern boundaries. One of the most notable features of the Mohawk River (and one of the region's greatest assets) is the Cohoes Falls. Since the time of the region's earliest settlement, visitors have marveled at the beauty and power of this natural feature. Early tourists visiting the Cohoes Falls have included Thomas Jefferson, James Madison, and the Marquis de Lafayette. The Falls are framed on the south by the historic Harmony Mills in the City of Cohoes, and on the north by relatively undeveloped land in private ownership.

Historically, as the only natural passage across the Appalachian Mountain Range, the Mohawk River allowed development of the interior sections of New York State before roads were highly developed.

Before European settlement, the Mohawk Valley was home to the Iroquois nations, which included the Mohawk, Oneida, Cayuga, Seneca, Onondaga, and later the Tuscarora tribes. The stable culture developed by these tribes significantly shaped the early development of the United States.

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The Mohawk Valley was also one of the most important frontiers in the “New World.” As noted in the Mohawk Valley Heritage Corridor’s Management Plan (which includes Waterford as its eastern hub), a succession of European peoples made their way across the valley, establishing a pattern of farms and towns that remains. The national characteristics of the Dutch of New Netherlands were particularly influential in shaping the emerging new American identity. Much blood was shed in the constantly shifting frontier wars that characterized the 17th and 18th centuries. As the colonial provinces turned into the battleground for independence from England, the Mohawk Valley was the setting for pivotal Revolutionary War events. These wars produced tensions that led to the dispersal of the Iroquois Nation and significantly shaped the new nation.

In addition, since the early twentieth century, when the state’s original canal system was significantly enlarged, the Mohawk River channel replaces many sections of the original Erie Canal. The navigable section of the Mohawk River covers approximately 70 miles from Little Falls, NY to the confluence with the Hudson River at Waterford, NY. The Mohawk River itself is essentially not used for navigation from just outside the City of Rome in the west to the City of Little Falls in the east.

However, the Mohawk is directly connected to the Erie Canal at various points throughout this roughly 36 mile section of the river.

The Mohawk River is currently more recreation-oriented than transportation- or cargo-oriented. It serves as a connector between the Hudson River and the Oswego Canal/Lake Ontario, Cayuga and Seneca Lakes and many of the major population centers in New York State including Rome, Utica, Amsterdam and Schenectady. At its eastern terminus in Waterford, the Mohawk River joins the Hudson River forming a waterway that allows inland navigation from New York City to the Great Lakes.

In 1997, the Mohawk Valley Heritage Corridor Commission produced a Management Plan designed to “...improve the region’s quality of life...[through]... intertwining community revitalization, heritage tourism efforts, and historical interpretation...[to]...lead to tangible results: helping small businesses, reusing old buildings, fixing up and cleaning up, creating parks and other amenities, making the great stories about the region’s past a significant attraction for visitors.”

The Plan is intended to be a long-term series of small simultaneous steps that do not involve large projects and major new capital investment programs. The Plan provides a 10 year action plan designed “...to preserve, promote, and celebrate our natural, cultural and historic strengths in order to enhance the quality of life and stimulate economic vitality throughout the corridor.”

The U.S. Department of Housing and Urban Development (HUD) has made over \$130 million available to communities for canal corridor projects through their Canal Corridor Initiative. This

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project assistance will take the form of grants and guaranteed loans. The Canal Corridor Initiative is a sustained commitment to Upstate New York that will enable communities along the canal to tap its potential as an engine of economic growth and community revitalization. Over fifty communities within the corridor have been awarded HUD grants.”

The Capital District Regional Planning Commission and the LA Group, P.C. , developed a Eastern Gateway Canal Regional Plan in 1994. The purpose of the plan is to “...provide a broad vision for the future use and development of the canal corridor and to identify specific recommendations leading to the implementation of that vision. It is intended to encourage recreation, tourism, and historic preservation, increase awareness of the canal system, promote economic development and conserve natural resources.”

Erie Canal

The Erie Canal (New York State Canal/New York State Barge Canal) is a 338 mile section of a 524 mile canal transportation and recreation network. The Canal System is operated and maintained by the New York State Canal Corporation (a division of the NYS Thruway Authority). The entire canal system encompasses the 338-mile Erie Canal, 60-mile Champlain Canal, 24-mile Oswego Canal, 12-mile Cayuga-Seneca Canal, and 90 miles of designated canal corridor from the Cayuga-Seneca Canal to both Ithaca and Watkins Glen/Montour Falls.

The New York State Canal System developed out of the original Erie Canal which was completed in 1825. Construction of the original canal began in 1817 in Rome, NY. It was 363 miles long, forty feet wide at the surface (28 feet wide at the bottom), and four feet deep. The canal lifted barges 688 feet through 83 locks. Barges were towed by horses and mules walking along the side of the canal⁴. The original Erie Canal instantly became the gateway into western New York, opening it up for trade, travel and settlement.

The Barge Canal was the second large canal development project in New York State. The Barge Canal was a deeper and wider version of the original Erie Canal developed to allow propeller barges to navigate the inland waterway. The old canal could provide access to animal-powered barges that could move 30 tons of material through 83 locks. The improved Barge Canal allowed engine-powered propeller boats to move up to 3,000 tons of material through just 36 locks. The Barge allowed the movement of 100 times more material per barge than the previous Erie Canal. Subsequent improvements of the canal over the last 100 years have made the New York State Canal systems one of the most unique and popular in the United States. As noted in *The Erie Canalway*, a National Park Service special resource study,

⁴ *The Erie Canal*, Ralph Andrist

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...In both its 19th- and 20th-century forms, the New York State Canal System was the largest and most ambitious public works project ever undertaken by a single state. Yet the influence of the system, particularly of its main component, the Erie Canal, was genuinely national in scope. Relying upon the only natural break in the Appalachian Mountain chain, the Erie and the lateral canals extending from it, formed the first effective route for inland interstate commerce in the country; established a strong political and cultural connection between New England, Upstate New York, and the Old Northwest; proved the depth and force of American ingenuity; solidified national identity; and found an enduring place in American legend, song, and art. Few transportation innovations in this country have had such wide-ranging impact; indeed, only the first transcontinental railroad and such seminal inventions as the steam locomotive, the automobile, and the airplane were a critical to national development as New York's Canal System."

Components of the New York State Canal System include the Erie Canal (which acts as a trunk line); the Champlain, Oswego and Cayuga-Seneca Canals (lateral canals); sections of the alignment of the original Erie Canal (1817-1825) that have been restored or have survived later development; and more than two hundred municipalities that are adjacent to the canals and whose townscapes and abundant cultural resources reflect their influence.

The National Park Service's special resource study was undertaken to determine whether the canal system has national significance and make recommendations regarding its inclusion in the national system of heritage corridors. The study recommends inclusion in the national system, noting in its analysis of significance that

The New York State Canal System brought a vast area within the trading sphere of New York City, and thereby established that city's long pre-eminence in American commerce, industry, and finance. The Erie and Oswego Canals connected the Great Lakes to the east and diverted traffic from both the Mississippi basin and Montreal; the Champlain Canal tied Lake Champlain to the system and recaptured the Montreal-bound trade of the northern frontiers of New York and New England; and the Cayuga-Seneca Canal captured the growing movement of people and goods from the coast up into the Finger Lakes. The system enabled New York State to become the nation's leader in industry, commerce and population. However, even though the canals have carried freight continuously from the 1820s to the present, their commercial strength has been gradually but irrevocably sapped by the competition of railroads, interstate highways, motorized cars and trucks, and the St. Lawrence Seaway. Increasingly, state planning for the canal system turned toward its recreational potential."

Among the many notable features of the New York State Canal System is the Waterford Flight. This scenic and technologically-advanced set of five lift locks rises from an elevation of 15.2 feet at Lock

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2 to the Mohawk River west of Lock 6 at an elevation of 184.0 feet. The Flight begins in the Village of Waterford at Lock 2 (near the intersection with the old Champlain Canal), and ends in the Town of Waterford west of Lock 6 above Cohoes Falls. The Village of Waterford also contains a portion of the original Erie Canal known as the Waterford Side Cut.

All of the programs and economic development initiatives discussed for the Mohawk River also cover the Erie Canal. The two water bodies are essentially the same from Waterford to the City of Rome, NY and the area encompassed within the plans that incorporate both water bodies.

The *Eastern Gateway Canal Regional Plan* describes numerous improvements for the waterfront revitalization. Saratoga County and Waterford projects include completion of the Saratoga County Heritage Trail, Champlain Canal Trail segment, Peebles Island Bridge repairs, and Waterford waterfront enhancements, most of which have been completed under the auspices of the NYS Canal Corporation in association with the U.S. Department of Housing and Urban Development's Canal Corridor Initiative. These projects complement similar enhancements that were prescribed for other waterfront communities throughout Washington, Saratoga, Rensselaer, Albany, and Schenectady counties.

Champlain Canal

New York State chartered the Northern Inland Lock Navigation Company to link the Hudson River with Lake Champlain in 1792. Upon its completion in 1823, the original Champlain Canal was seventy-three feet long, forty feet wide at the surface, twenty-eight feet wide at the bottom and four feet deep. Running along the eastern border of Saratoga County and diagonally northeast across Washington County, the Canal connected Lake Champlain to the Mohawk River and Erie Canal, and transformed the predominantly agricultural communities along its length. Passing through approximately twenty-eight hamlets and towns, the canal became a major transportation route from Waterford to the north, opening markets in northern New York, Vermont and Canada, and establishing Waterford as a major transportation hub.

The old Champlain Canal included at least twenty-one locks, six of which were in the Town of Waterford. The Canal originated in Whitehall and passed through Fort Ann Village, Kingsbury, Fort Edward, Fort Miller Falls, Greenwich, Saratoga, Stillwater, and Schuylers Flat to Waterford. It was abandoned in 1915 when New York State made improvements to the Barge Canal and much of its route was redirected to the Hudson River.

D. EXISTING LAND AND WATER USES: OPPORTUNITIES AND CONSTRAINTS

The existing land and water uses in the waterfront revitalization area are presented for eight distinct, arbitrarily named sub areas:

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Town of Waterford

Hudson River Road Sub-Area
Upper Mohawk/North Waterford Flight Sub-Area

Saratoga Avenue/Northside Historic District Sub-Area
Lower Mohawk/South Waterford Flight Sub-Area
Five Islands Sub-Area

Village of Waterford

Northern Village Sub-Area
Broad Street Commercial Sub-Area, Battery Sub-Area

Although there is considerable overlap between the sub-areas established for the LWRP and Comprehensive Plan, they are not exactly the same. In the comprehensive plan, the Saratoga Avenue/Northside Historic District was expanded to include Sugar Loaf Pond and the surrounding residential areas not included in the LWRP boundaries; the Battery and Southern Village Sub-Areas are combined; and the Middletown/Fonda Road sub-area was added to incorporate areas of the town outside the village.

Primary attention is given in the LWRP to uses directly adjacent to the water. Sub-area boundaries are shown on the [LWRP Sub-Area Boundaries map](#). Each of these sub-areas exhibits unique land use patterns which are outlined below. Boundary descriptions and a preliminary analysis of opportunities and constraints in the near- and long-term are included for each sub-area. Additional information regarding land and water uses, and proposed projects, can be found in Section 4.

Land use descriptions are done by municipality and sub-area. Each sub-area description contains three major sections: land uses, water uses, and opportunities and constraints. This section only includes sub-areas within the LWRP waterfront revitalization area boundaries (see [Land Use Map](#)); a discussion of land uses outside this area can be found in the existing conditions section of the Comprehensive Plan.

TOWN OF WATERFORD

According to the Town assessor, 42% of the land in the Town of Waterford outside of the Village is assessed as residential property, including vacant properties. Twenty-eight percent of the land is in commercial use (this includes community services); 30% is used for industrial purposes, and less than one percent is classified as being in agricultural use.

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Hudson River Road Sub-Area

Land Uses

The Hudson River Road sub-area is defined as the area bounded to the north by the Village of Halfmoon, the Hudson River to the east, the Old Champlain Canal to the west, and the Village of Waterford's northern boundary to the south. This sub-area contains the predominantly industrial and manufacturing uses in this section of the town, as well as the 100 and 500-year flood zones.

The northern half of Hudson River Road, particularly on the west side, is primarily made up of manufacturing, warehousing, and industrial uses. GE Silicones facilities occupy a significant portion of the northwestern side and part of the northeastern side of Hudson River Road. Maximum Security and the Degussa Corporation, which produces fumed silica, are located on School House Road running east/west across the northern end of Hudson River Road. South of GE Silicones is the Golub Corporation Frozen Food Warehouse (the former Grand Union site) at the northwest corner of Bells Lane and Hudson River Road. Between Bells Lane and Higgins Road heading south on Hudson River Road is American Tissue. On the eastern side of Hudson River Road is a mix of houses and GE properties. Nine businesses, predominantly related to industrial or manufacturing industries are located on Industry Drive which crosses Hudson River Road south of Higgins Road.

Although Hudson River Road has a concentration of industry, there are pockets of retail commercial and residential uses. For instance, there are four single family houses on large lots across from the main GE facility. The houses are nicely buffered by a row of mature pine trees. Between Bells and Higgins Road there are approximately six single family homes on the east side of Hudson River Road. South of Higgins Road, Hudson River Road has a mix of commercial and residential uses. Single family homes and some multi-unit structures dot both sides of the road, many with little setback or tree buffer, varying in size, lot size, and condition. South of Industry Drive the land on Hudson River Road becomes predominantly residential with increased density approaching the village.

There are several commercial uses between Higgins Road and Industry Drive on Hudson Road including automotive repair shops, convenience stores/gas stations, a motel, and others.

Similar to the other land uses, there are pockets of open space or undeveloped land, particularly on the eastern side of Hudson River Road. There are also snowmobile trails along the northern boundary of the Town on School House Lane; however, they are owned by the City of Mechanicville.

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Water Uses

There are limited water-dependent or water-related uses in this sub-area including a few privately owned docks at the southern end where the river and Route 4 are very close together. This sub-area is enhanced by its close proximity to the Hudson River. Furthermore, Route 4 is part of a State-designated Scenic Byway due to the excellent views of the Hudson River from both Routes 4 and 32.

Opportunities

- This sub-area provides an opportunity for the creation of additional employment through industrial expansion.

Constraints

- The predominance of industrial uses in this sub-area may preclude the development of other land uses such as residential and recreational.

Upper Mohawk/North Waterford Flight Sub-Area

Land Use

This sub-area is defined by the Town's northern line and an arbitrary parallel line 500' north of Waterford Flight Road's centerline; and arbitrary parallel line 500' inland from the Mohawk River shoreline; the center line of the Mohawk River (the town's boundary with Cohoes); and the Village's western boundary. The sub-area contains the Mohawk River shoreline above Cohoes Falls and the northern shoreline for the Waterford Flight.

This sub-area is a large part of the Waterford Flight which is an impressive set of five lift locks along the Erie Division of the Barge Canal. The locks are the highest set of lift locks in the world rising from an elevation of 15.2 ft at Lock 2 to the Mohawk River west of Lock 6 at an elevation of 184.0 feet. The land along the Waterford Flight is owned by the New York State Canal Corporation as part of the Canal Corridor. Waterford Flight Road often runs along the canal. This sub-area begins after Lock 3 of the Waterford Flight.

Between Lock 4 and Lock 5 the land along Waterford Flight Road is undeveloped. The land on both sides of Waterford Flight Road is owned by the NYS Canal Corporation. Approximately six newer houses facing Fonda Road can be seen from Waterford Flight Road near Lock 4. There is an old power house at Lock 4 and Lock 5, however, a small, newer building also exists at Lock

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5. Heading north on Waterford Flight Road passed Lock 5 the east side of the road is Canal Corporation land. The land is owned by the NYS Canal Corporation as far west as the former

Alcathy's Marina (now NYS Boat Launch) which has a boat launching ramp, dock and picnicking facilities.

Water Uses

Water-dependent uses include the state boat launch in the former Alcathy's Marina area east of Lock 6. The picnic area at Lock 6 and the entire Waterford Flight Road are enhanced by their close proximity to the Barge Canal, which creates interesting and scenic views.

Opportunities

- The construction of the proposed walking trail along the Waterford Flight would enhance the recreation possibilities of the Town and region.
- There is potential for increased recreational activity on land owned by the NYS Canal Corporation at Alcathy's Marina (now NYS Boat Launch) if additional enhancements can be made.

Constraints

- The Town has designated the canal shoreline area a land conservation district. However, additional protective measures such as design standards, scenic vista protection and flood hazard planning may be needed to maintain the scenic quality of the Waterford Flight given the close proximity of residential development off Fonda Road.
- The terrain in this sub-area varies greatly and is often steep-sloped and eroded, creating a potentially dangerous landscape.

Saratoga Avenue/Northside Historic District Sub-Area

Land Uses

The Saratoga Avenue/Northside Historic District Sub-Area is generally bounded by the Village of Waterford's southern boundary with the Town, the railroad tracks to the west of Saratoga Avenue, and the Mohawk River to the east and south. The sub-area is the Town's southern gateway and its link to Cohoes and other points to the south. It includes the Northside Historic District, Waterford Historical Museum, old Champlain Canal and Canalway Trail, several

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thriving industries, a wide range of housing in various conditions and styles, and two commercial areas. Dams in the Mohawk River restrict boater access to the portions of the Mohawk River on the west side of the five islands.

Most of this sub-area lies within the Northside Historic District, which was listed in the National Register of Historic Places in 1975 and includes approximately 123 structures. The overall character of this sub-area has always reflected its division by the CSX right-of-way to the west of Saratoga Avenue, Saratoga Avenue itself, the Champlain Canal (and Canalway Trail), and the Fourth Branch of the Mohawk River. King's Power Canal, which has nearly disappeared from the landscape, once ran parallel to the Mohawk River, providing water power to a wide range of industries along the Fourth Branch of the Mohawk River. The Erie Canal, Champlain Canal and Fourth Branch of the Mohawk River actually make the area currently occupied by Ursula of Switzerland, the Town Highway Department and Water Treatment Center, and Mohawk Paper an island. Although residential uses are most prevalent, land uses in this sub-area are quite diverse and include residential, commercial, recreational, industrial and public uses.

Generally speaking, residential uses predominate along Saratoga Avenue, Museum Lane, Fulton and Canal Streets, as well as the side streets between Saratoga Avenue and the CSX railroad tracks. Between the Mohawk River and Clifton Street/Museum Lane, a large, single-family house in excellent condition occupies the east side of Saratoga Avenue; several two-family houses in poor to fair condition are located on the west side. Museum Lane is characterized by small densely built houses in fair to poor condition. Although most appear to have been built in the eighteenth and nineteenth centuries, their architectural and historical character has not been preserved. Museum Lane is heavily posted with signs announcing "private property" and "keep out," and there is very little indication that the Waterford Historical Museum and the southern terminus of the Champlain Canalway Trail are located here.

From Fulton Street to Hill and Canal Street on Saratoga Avenue, residential buildings vary considerably in style, building materials and condition. Most are wood frame buildings in fair condition. In addition, while most of these residential buildings were originally large single family homes, many of them have been subdivided into two- to four unit apartments. There are approximately four large masonry buildings that appear to have been built originally as apartments. Fulton and Canal Street are defined by small residential buildings on small lots. Most buildings appear to date to the early nineteenth century, but their architectural character has been largely obscured.

Residential uses also predominate on the west side of Saratoga Avenue between Hill and Arch Streets. Housing conditions, styles and building materials again vary considerably. Most houses are large, one- and two-family frame buildings on fairly large lots.

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The most notable residential buildings, known as "Mill Owner's Row," are located on Saratoga Avenue between Arch and Van Ness Streets. The east side of Saratoga Avenue, which is located very close to the Champlain Canal in this area, is characterized by large, historically and architecturally distinctive houses built on large hillside lots. These handsome buildings are generally in good to excellent condition; most other housing in this sub-area consists of smaller wood frame single- and multi-family houses. Most buildings are in fair condition and would benefit from rehabilitation.

A small residential area known locally as "Dial City" surrounds the Ormsby-Laughlin Textile Mill (Ursula of Switzerland) along Mohawk, Short Sixth and South Streets. This neighborhood is characterized by single-family houses on small lots which were probably constructed during the mid-nineteenth century. For the most part, the architectural and historical character of these buildings has been obscured by later additions and alterations. The recently reopened Fourth Street Bridge connects this area to the southern portion of Waterford village.

Commercial uses are concentrated at the southern end of this sub-area between the Mohawk River and Clifton Street/Museum Lane. They include a grocery store; doll store; chiropractor's office; hardware store; McDonald's; and a strip mall occupied by an auto supply store, hair salon, pasta and pizza restaurant, insurance offices, aerobic training center, wine and liquor store and beverage outlet. Two automotive businesses are located along Saratoga Avenue between Hill, Canal and Arch Streets. Another commercial cluster exists on the west side of Saratoga Avenue between Van Ness and Maple Streets. This cluster includes an abandoned service station, a shipping and packaging operation, and a clock repair and restoration shop.

Recreational uses predominate on the east side of Saratoga Avenue and include Garrett Field (to the south of Hutchinson Lane) and the Champlain Canalway Trail. This trail extends throughout the sub-area paralleling Saratoga Avenue. Trail heads are marked where the trail begins at the Waterford Historical Museum and Cultural Center as well as in areas where the trail intersects with roadways (Fulton Street, Hill Street, and Hutchinson Lane).

Industrial uses dominate the area to the east of the Champlain Canal, reflecting historic land use trends and the importance of water power. Industries include Ursula of Switzerland, a clothing manufacturer located in the old Ormsby-Laughlin Textile Mill on Mohawk Avenue and Mohawk Paper, which occupies and owns most of the land along the Mohawk River. A storage building used by Mohawk Paper is located on the north side of O'Connor Drive the company's main entrance. To the east of Van Ness Street, a considerable amount of formerly industrial land is vacant and underutilized.

Public uses are also abundant in this sub-area. They include the F.B. Peck Hose Company, which occupies a new building on the east side of Saratoga Avenue near Canal Street; the

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Waterford Emergency Team, Inc., which is on Davis Place, the Town of Waterford Waste Water Treatment Facility along Mohawk Avenue; and the Town Highway Department (just off Hutchinson Lane). The Waterford Historical Museum is hidden within a warren of small, densely built houses at the end of Museum Lane. The other major public use in this sub-area is the Waterford Rural Cemetery, which is located along Maple Avenue and Saratoga Avenue.

Water Uses

Water uses in this sub-area are predominantly water-related and enhanced, and include the abandoned Champlain Canal, the Champlain Canalway Trail (which follows the course of the old canal towpath) and the Waterford Historical Museum. Remnants of King's Power Canal are also extant. There are no water-dependent uses in this sub-area. Under the U.S. Department of Housing & Urban Development's Canal Corridor Initiative, an inn and restaurant were proposed for the point of land east of Ursula of Switzerland, but little progress has been made regarding this project. Development of water-dependent uses is restricted because most waterfront land is in private ownership and boater access is prevented by a series of dams in the various branches of the Mohawk River.

Opportunities

- The Cohoes-Waterford Bridge and Saratoga Avenue represent Waterford's southern gateway. The improvement of this gateway would significantly enhance resident and visitor perceptions of the Town and Village and would encourage additional visitation and private investment. Such improvements could include bridge repair; welcome, wayfinding, and interpretive signage; greenspace at the west side of the bridge and similar improvements. Except for the contemporary colonial revival house on the east side of Saratoga Avenue and commercial development, this area currently presents a less than favorable impression. Improvements could be coordinated with redevelopment of the Star Textile Mills property along the waterfront in Cohoes. Facade and streetscape improvement along the length of Saratoga Avenue would vastly improve this primary entrance into the Village.
- This sub-area is extremely rich in historic, architectural and industrial archeology resources. Improvement and interpretation of historic properties and resources, particularly along the existing Champlain Canalway Trail, would significantly strengthen Waterford's efforts to become a tourism destination and might encourage additional homeownership.
- Development of the proposed "Inn & Restaurant at the Point" would be a significant improvement in this sub-area and be a positive addition to the waterfront. The Town and Village have secured approximately \$3 million in low-interest loan funding through the U.S. Department of Housing & Urban Development's Canal Corridor Initiative. A Request for

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Proposals was issued in 1998, but no responses were received and the project is currently on hold pending completion of other canal projects.

- The Waterford Historical Museum is a strong complement to the new Waterford Visitors Welcome Center. However, it is little known outside of Waterford. Streetscape improvements and better signage, maps and promotion efforts could improve the museum's position as a heritage tourism destination.

Constraints

- Most of the land in this sub-area is privately owned and actively used. Changes in land use would therefore require acquisition of property or easements.
- This sub-area is cut off from boat traffic because of dams in the various branches of the Mohawk River.
- There are a number of traffic issues in this sub-area: traffic speeds are generally high despite posted limits, there are numerous side streets and curb cuts, there is a high volume of truck traffic and sidewalks are very narrow or nonexistent. The area is not pedestrian-friendly.
- The negative signage on Museum Lane, narrow roadway and poor condition of houses along Museum Lane currently make this street a poor entrance to the Waterford Historical Museum and Champlain Canalway Trail.
- Although recreational and historic resources are plentiful in this sub-area, there is little indication that they exist.
- Many houses along Saratoga Avenue are in poor or fair condition and have lost much of their historic integrity through incompatible additions and generous application of twentieth century siding materials.

Lower Mohawk/South Waterford Flight Sub-Area

Land Uses

The Lower Mohawk/South Waterford Flight Sub-Area is somewhat irregularly bounded and includes three distinct sections. The largest section of this sub-area generally includes all the land situated between the Erie Canal and Mohawk River to the west of the Niagara Mohawk power transmission line right-of-way. The power transmission line runs generally northeastward from a point below the Cohoes Falls to a point west of the Waterford Rural Cemetery's

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boundaries, then closely parallels the cemetery boundary to the Erie Canal. Mountainview Road parallels the power line to the immediate east. The other two sections of this sub-area are along the Erie Canal and Mohawk River shorelines, with the boundary line extending inland and following an arbitrary line paralleling the shoreline at a distance of approximately 500 feet.

This sub-area has remained largely undeveloped throughout Waterford's history. For the most part it consists of open space in public and private ownership, with a number of small summer camps located along the Mohawk River and Crescent Lake shorelines. The camps are generally located well north of the Cohoes Falls where the rugged topography flattens out (roughly opposite Fonda Road in the City of Cohoes). The camps are linked by roads.

The Erie Canal shoreline is largely owned by New York State with land uses consisting mainly of open space. The Mohawk River shoreline is partially developed and is generally in residential use in the areas west of Saratoga Avenue (along River, Grove, Grand and Clifton Streets). The Town-owned Clement Park is located at the end of Clifton Street Extension and overlooks the Mohawk River and Harmony Mills in Cohoes. Residential uses in this sub-area are predominantly one- and two-family houses constructed during the late 1800s and early 1900s and situated on small, narrow lots. Clifton Street, which is characterized by mid-sized single family detached houses on larger lots, is the only exception to the otherwise high-density residential development pattern.

Water Uses

There are no water-dependent or related uses in this sub-area. The only water-enhanced use is Clement Park, which overlooks the City of Cohoes, providing excellent views of the Harmony Mills complex.

Opportunities

- The undeveloped Mohawk River shoreline provides scenic views of the Cohoes Falls and the Harmony Mills Industrial Complex with opportunities for recreation and the interpretation of historic and natural resources.
- Clement Park has great potential as a starting point and interpretive area for a Cohoes Falls overlook trail. This location, which overlooks the historic Harmony Mills complex (a National Historic Landmark) in Cohoes would allow for public parking and easy access to the trail. It would also be a good location for interpretive signage related to the Cohoes Falls and Mohawk River, as well as the Harmony Mills complex and other industries once powered by the Mohawk.

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Constraints

- Water access is constrained by the extremely steep slopes along the Mohawk River and the Cohoes Falls.
- Much of the waterfront land in this sub-area is privately owned. Trail development would require the acquisition of easements or property. Because of the special character of this area, any future development of land in this sub-area should be done in accordance with a well-thought out plan, with allowances for public access.
- The prevalence of private ownership in this sub-area may also restrict future development and public access.

Five Islands Sub-Area

Land Uses

The Five Islands Sub-Area is generally bounded by the Hudson River and several branches of the Mohawk River. It includes Peebles Island, the largest and easternmost of the four islands, Second Island, Goat Island, Bock Island and a small unnamed island; all occupy significant places in Waterford's history. Second Island, Goat Island, Bock Island and a small unnamed island are all vacant land and no development exists.

Peebles Island encompasses approximately 150 acres and is predominantly undeveloped park land. The island is owned by the New York State Office of Parks, Recreation and Historic Preservation and is operated as Peebles Island State Park (see public access and recreation section below). The bridge connecting Peebles Island to the Village of Waterford for many years, which is known as the "North Bridge," was closed for many years because of unsafe conditions. It has now been repaired and reopened in 2003. As a result, the island is currently inaccessible from Waterford and the rivers, but can be reached from Delaware Avenue, which extends northward from Route 470 (Ontario Avenue) on Van Schaick Island. This road terminates at the administrative offices of the New York State Office of Parks, Recreation and Historic Preservation and of the Erie Canalway National Heritage Corridor as well as park facilities at the northeast quadrant of the island. These offices occupy several buildings that were once the Cluett Peabody Company Bleachery. The park complex also includes several mounds, or earthen berms, constructed as part of military defenses in the American Revolution. There are two parking areas, interpretive signage, and trails encircling the island.

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Water Uses

There are no water-dependent uses in this sub-area. The entire Peebles Island State Park is a water-enhanced use. Development of a marina, and enhancement of the adjacent Matton Shipyard (which is not within the Town of Waterford), have been proposed along the Hudson River in regional plans prepared over the last thirty years; additional information about state park amenities and facilities is provided in the public access and recreation section below.

Opportunities

- Peebles Island State Park has only been minimally developed and interpreted. Additional development and interpretation would make this currently underutilized park a much more significant asset to the region. Interpretive themes could relate to Native American history, early Dutch and English settlement, the American Revolution, industrial archeology, and water transportation. Rare and important floral species (such as lichens and mosses) also exist in abundance.
- The four small islands in the Fourth Branch of the Mohawk River are extremely underutilized. While not suitable for most development, they could be incorporated into park usage and connected via pedestrian bridges.
- The repair and reopening of North Bridge in 2003 has increased the flow of visitors from the park to the Broad Street commercial area.

Constraints

- The New York State Office of Parks, Recreation and Historic Preservation has determined that all of Peebles Island is archeologically sensitive. This determination will result in some restrictions or constraints to any ground disturbance or new development.

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According to the Village assessor, 75% of the land in the Village is assessed as residential, and 25% is in commercial use (including community services.)

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Northern Village Sub-Area

Land Uses

The somewhat irregularly-shaped Northern Village Sub-Area is generally bounded by the Village line to the north, the Hudson River to the east, Division Street to the south (see Broad Street Sub-Area), the Waterford Flight and the Village line to the east and south, and portions of Eighth and Ninth Streets. The sub-area is roughly divided by U.S. Route 4/State Route 32 (which follow Second Street to the north), the Broad Street commercial area, the Old Champlain Canal, and CSX railroad tracks. It is predominantly residential in character, with commercial, public and institutional uses in the areas closest to the Broad Street Sub-Area and recreational uses in the western portions of the sub-area.

The residential neighborhoods of this sub-area vary considerably in building size, material, condition, style and historic integrity. The neighborhoods of State, Columbia, Hudson, and Fourth Streets, portions of which are included in the Waterford Village Historic District, are characterized by small, well-maintained single-family detached houses with considerable architectural character and style. Similarly, Second and Third Streets in this sub-area are articulated by small single family detached houses. Many of these buildings are wood frame buildings dating to Waterford's earliest years, but most have been severely altered through the application of aluminum siding and other alterations. A number of the larger structures have been divided into multi-family apartments. In the areas closest to Broad Street, most residential buildings are large, well-maintained brick houses which contribute to the Waterford Village Historic District. In the neighborhood to the west of the Champlain Canal, building lots and houses are larger and residential buildings are generally in fairly good condition. Many of these buildings appear to date to the mid-nineteenth century. There are hardly any commercial uses in this sub-area, and those that do exist, such as Pauly's Provisions, Philip Brendese Funeral Home, and Patregnani and Morra Dentists are interspersed with residential buildings.

Public uses include the Waterford Public Library in the former D & H Freight Station (between Second and John Streets); the Waterford Waterworks (Second Street), the Fourth Street Playground, and the New York State Department of Transportation facility off Eighth Street (canal repair shops). The D & H Railroad right-of-way also passes through the western portion of the village. St. Mary's Hall is across the street from St. Mary's School on the northeast corner of Division and Sixth.

Water Uses

The only true water uses in this sub-area are the old Champlain Canal and the Champlain Canalway Trail.

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Opportunities

- The ends of Sixth and Seventh Streets are in public ownership and have potential for water-related development.

Constraints

- There is very little, if any, vacant land available for development in this sub-area.
- Resources are needed to rehabilitate the older housing stock in this sub-area and improve the overall appearance of the neighborhood.

Broad Street Commercial Sub-Area

Land Uses

This sub area is defined as the area bounded by the Division Street to the north; the Hudson River to the east; Eighth Street to the west; and Middle Street the south. The sub-area is designed to contain the village's commercial district on Broad Street: a seven block downtown commercial strip located in the Village of Waterford Historic District. Broad Street is a two-way street with parking on both sides except along the block between Third and Fourth Streets. There are traffic lights at two intersections. The side streets are a mix of one and two-way streets. Most of the buildings are two and three stories and include a mix of commercial, residential and some public uses. Their age and condition are also mixed and include some notable buildings that are included in the Waterford Village National Register Historic District, such as the Second Empire style Samuel Smith House and Second Empire style Shyne House on First Street just north of Broad Street.

Broad Street

Geiger (Eighth Street) Park anchors the west end of Broad Street. The park is a neighborhood park with a playground, tennis and bocce courts. There is a fire station on the East side of Eighth on Division Street. The east end of Broad Street is anchored by two parks, the Hudson River, and the Troy-Waterford (Union) Bridge which crosses the Hudson into Lansingburgh. The two parks are located on First Street to the north and south of the bridge. Knickerbocker Park (north) is a greenspace with benches for sitting along the Hudson River. Soldiers and Sailors Park (south) is landscaped with a sitting area and a memorial marker to veterans. Many improvements were made to the park during the summer of 2000 including the addition of an information kiosk, benches and historical markers.

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Two blocks east of Eighth Street at Broad and Sixth Street is Flatiron Park, a landscaped, triangular greenspace. A concrete bridge crossing the Old Champlain Canal and a trail head for the Canalway Trail are to the north of Broad Street. This point on Broad Street marks the western end of the commercial strip.

From Eighth Street southeast to the River Broad Street is a mix of commercial businesses including two taverns, four eateries featuring Italian and Chinese fare, a coffee shop and a café. There are two gas stations; one with a mini-mart. Other commercial uses include a funeral home, one antique shop, card shop, sign making shop, florist, office products store, a satellite dish and home security business, bank, and a laundromat, as well as service-related businesses such as hair and nail styling. Two law offices, an insurance office, a dentist, and a chiropractor have offices on Broad Street. There are two vacant, first floor commercial store fronts and several second story vacancies. With the exception of the Key Bank and gas stations, parking for these commercial businesses is on Broad Street, side streets, alleys and a municipal parking lot with twenty spaces located on Broad between Broad Second and Third Streets. The Town and Village Hall is located between Fourth and Third Streets on Broad Street, as is the American Medical Career Institute, which occupies two three-story buildings joined by a new facade.

Second-story residential uses for many of the properties along Broad Street is common and two and three story multi-unit apartment buildings are common with the exception of Broad Street from Eighth Street to Sixth where several large, single-family homes are located. In fact, there are at least fourteen buildings with multi residential units as well as several single and two family homes. There appears to be significant vacancy in the apartment buildings, although none have “for sale” signs on them. In fact, only one home along Broad Street indicates that it is for sale.

North of Broad Street to Division Street

Between Broad Street and the east side of Division Street there is a mix of uses including commercial, residential, recreational, institutional and public. Residential uses are more concentrated from the Eighth to Sixth Streets where there are a mix of very large single family homes on Broad Street and smaller single or two family homes between Broad and Division Streets. Third to First Streets has a mixture of larger single family homes on First and smaller single and multi-family homes on Second, Third and Division Streets.

Commercial uses dissipate north of Broad Street although several businesses exist on Fourth Street including a side entrance to the Mobile Gas Station on Broad Street, a car wash, and a barber. There are law offices on Second Street at the Corner of Division and a doctor’s office and a deli on Third Street.

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Some recreational facilities are in the form of the canal trail and neighborhood parks. J. Geiger Park (Eighth Street Park) located on the west side of Eighth Street where Division Street ends is owned by the Village of Waterford. Fourth Street Park begins west of Fourth Street and heads north to Columbia Street. The Old Champlain Canal Walking Trail cuts through this sub-area between Fourth and Sixth Streets along the canal. For a more in depth discussion of these parks and recreational facilities see Section G.

Public uses are common between Broad and Division Streets. Village fire houses are located east of Eighth Street on the south side of Division Street, on the north side of Division between Third and Fourth Streets, and on Pearl Street between First and Second. The United States Post Office is located on the north side of Fourth Street at Division Street. The Waterford Rescue Squad is located on Fourth Street and Division on the south side of Division.

There are two churches in this area including St. Mary of the Assumption Catholic Church on Broad and Sixth Street and the First United Church on Third Street. St. Mary's School is next to St. Mary's Church on the south side of Division Street.

South of Broad Street to Middle Street

This part of the Broad Street Commercial District is almost entirely residential with the exception of the Civic Center (a former Baptist church) and Grace Episcopal Church on Third Street. The residential blocks south of Broad Street are densely populated with a mix of two-family and single family structures on Fifth, Fourth and Middle Streets and more multi-family structures on Third through First Streets and Middle Street. The structures are a mix of styles and conditions.

Ninth Street (Portion of Village on south side of the NYS (Erie) Canal)

Land uses in this portion of the Village (between the Erie Canal and Northside) are extremely diverse. The area is divided into two sections by Ninth Street, which becomes Saratoga Avenue in the Town. Land on the west side of Ninth Street is in public use and occupied by the Waterford Rural Cemetery. Land uses to the east of Saratoga Avenue include residential, industrial and public uses. Three single family houses are located at the top of Burton Avenue. The Champlain Canal, Canalway Trail, Town Highway Department and Town Water Pollution Control Facility occupy most of the remaining land. The New York State Office of Parks, Recreation and Historic Preservation has determined that much of this area is archeologically sensitive.

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Water Uses

The Old Champlain Canal, Champlain Canalway Trail and the Waterford Flight are the only water-dependent and enhanced uses in this sub-area. The only water-enhanced uses are Knickerbocker Park and Soldiers' and Sailors' Memorial Park. Both of these parks are landscaped sitting parks located on the Banks of the Hudson River overlooking the River, Union Bridge, and Lansingburgh.

Opportunities:

- The human scale and historic character of the buildings on Broad Street is pedestrian-friendly.
- The municipal lot has added parking facilities and there appears to be enough parking for the current level of commercial use.
- Pocket parks and a neighborhood park in this sub-area provide ample opportunities for both active and passive recreation.
- Frequent alleys, and areas behind buildings on the north side of Broad Street, could be used for additional parking.

Constraints:

- Despite a large amount of historic building stock, buildings and facades are often in poor condition. Other aesthetic deficiencies include business signage, a lack of trees, the present use of cobra lights which only illuminate the road, not the sidewalks, and over head wiring and telephone poles (may not be a choice with flooding).
- The traffic volume on Broad Street, particularly truck traffic, is not pedestrian or customer friendly
- Numbers on buildings are rare, signage in poor condition.
- Alleys are frequent, wide and poorly maintained.
- A significant amount of housing stock from Middle to Broad Streets is in poorer condition.
- Division Street frontage is largely made up of the backs of buildings and parking lots. Lining the street with trees or some other beautification might improve the look of the street.

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- Investment by property owners in this sub-area is discouraged by frequent flooding. Much of the housing stock is in fair to poor condition.

Battery Sub-Area

Land Uses

The small, triangular Battery Sub-Area is generally bounded by Middle Street (see Broad Street Sub-Area), the Hudson River, the Mohawk River and Erie Canal and the Champlain Canal. This sub-area includes the entire Mohawk River/Erie Canal shoreline to the east of the Old Champlain Canal as well as a large portion of the village's Hudson River shoreline. Historically connected to Peebles Island and Northside by the architecturally significant Second (also known as the Peebles Island or North Bridge) and Fourth Street Bridges, the Battery's character was established by its waterfront location. However, the Peebles Island (Second Street) bridge is expected to reopen for pedestrian use in 2002 following substantial repair and the Fourth Street bridge was recently rehabilitated and returned to service.

Although this sub-area was historically characterized by diverse uses associated with its working waterfront location, today it is dominated by residential uses. Most residential buildings in the Battery sub-area are small, wood-frame single family houses, interspersed with two-family buildings. Houses along Front and Parker Street are directly on the waterfront and are frequently subject to flooding. Many buildings are in poor condition and, although quite old, have lost much of their historic integrity. In general, the narrow streets are crowded with parked cars. The sub-area includes a number of historically and architecturally distinctive buildings including federal and Greek Revival-style houses, a former gas works, an early hall used as an academy and the homes of two local industrialists, Lysander Button and William Humphreys. Most of the architecturally distinguished buildings are located closest to Broad Street (away from the waterfront).

With funding from the U.S. Department of Housing and Urban Development's Canal Corridor Initiative, many waterfront improvements are taking place in this sub-area. These include construction of a visitor welcome center at the foot of the alley between Second and Third Streets; installation of a concrete bulkhead, pedestrian walkway and floating docks along the Mohawk River waterfront, improvements to the existing New York State Boat Launch, and creation of several pocket parks at street ends. Complemented by parking and streetscape improvements along Broad Street, these projects are designed to make Waterford a more attractive destination for tourism.

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Water Uses

This sub-area is well-oriented to the waterfront and encompasses a number of water-dependent, related and enhanced uses. Water dependent uses include the New York State Boat Launch at the foot of First Street (where the Hudson and Mohawk Rivers meet) and floating docks and boat moorings along the entire length of the waterfront in this sub-area. Water-enhanced uses include the new visitor welcome center; a waterfront promenade with lighting, seating and other amenities; and two parks. Button Park is located along the Erie Canal waterfront at the foot of Third Street. Lock 2 Park is located south and east of Fifth Street.

Opportunities

- Substantial improvements have been made to the waterfront in this sub-area in the last five years; future waterfront development will most likely include additional enhancements, neighborhood improvements and strengthening the linkages between Peebles Island and the Village (particularly commercial areas).

Constraints

- Lack of direction regarding pedestrian and vehicular access to the waterfront area from Broad Street is a major constraint to visitation and public use.
- Investment by property owners in this sub-area is discouraged by frequent flooding. Much of the housing stock is in fair to poor condition.

E. LAND OWNERSHIP

This section is an analysis of land ownership within the waterfront revitalization area. It focuses in a more general way on land ownership within the entire waterfront revitalization area, but provides a higher level of detail for waterfront areas, in order to inform decisions regarding future waterfront policies, land uses and projects, and public and private investment related to waterfront revitalization.

TOWN OF WATERFORD

Hudson River Road Sub-Area

The majority of land in the Hudson River Road sub-area is in private ownership. The largest private landowner is General Electric/Momentive, which owns most of the land in the area north

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of Higgins Road between the canal right-of-way and the Hudson River. Other private landowners include Price Chopper, American Tissue, and Waterford Industrial.

Land in public ownership includes the Old Champlain Canal right-of-way, the abandoned, state-owned Delaware & Hudson (D & H) Railroad right-of-way, a Niagara Mohawk power transmission line right-of-way, and several scattered parcels owned by New York State, Saratoga County, and the Town of Waterford.

The City of Mechanicville owns nearly all of the Old Champlain Canal right-of-way between Halfmoon and the Village of Waterford's northern boundary. This parcel encompasses 22.6 acres. The Town of Waterford owns a small 6.26 acre portion of the right-of-way along the canal in the area west of Bells Lane and Niagara Mohawk owns 3.05 acres of land in this area, as well as a narrow right-of-way to the north of Jay Street and extending east from the canal right-of-way to the Hudson River.

The abandoned D & H right-of-way, which parallels the canal corridor to the west, encompasses 18.27 acres that divide land owned mainly by General Electric/Momentive.

Nearly all of the Town's Hudson River shoreline is in private ownership, although there are two New York State-owned parcels in this area. A 12.58 acre parcel is located to the east of School House Lane. This parcel includes land on the western shore of the Hudson River and the southern end of an unnamed island in the river. A second parcel, which encompasses 35.10 acres, is on the Hudson River to the east of Higgins Road. This parcel is approximately one-quarter mile east of Hudson River Road and is an unofficial wetland area (not a NYS-designated wetland). A creek runs through the parcel and there is an area of accumulated dredge fill from the Hudson River which local children call "Shale Mountain." Both state-owned parcels appear to be accessible by unmarked gravel roads, although this involves passing through privately owned property.

Upper Mohawk/North Waterford Flight Sub-Area

The majority of land in this sub-area is in private ownership and in residential use. Most of the waterfront area on the north side of the flight is occupied by the River Bend housing development (and others), although New York State owns a right-of-way along the north side of Flight Lock Road which varies in width, which is generally 50'-500' wide. Since much of the land to the north (between Flight Lock Road and Fonda Avenue) is in private ownership and only the state owned land is protected by a land conservation zoning district, the flight viewshed could be compromised by incompatible development in the future.

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The Town of Waterford is fortunate because the majority of the Mohawk River and Waterford Flight shorelines are in public or quasi-public ownership. New York State owns a total of 179.86 acres on both sides of the flight. This area encompasses the existing State boat launch in the former Alcathy's Marina and "Crescent Lake" areas as well as land on the north and south sides of the flight. New York State also owns a very narrow shoreline (90.56 acres) area along the Mohawk River to the north of the flight (along the rear parcel lines of River Bend properties).

Additional information on land ownership on the south side of the Flight is in the Lower Mohawk/South Waterford Flight Sub-Area section below.

Saratoga Avenue/Northside Historic Sub-Area

All of the land to the west of the Champlain Canal and on both sides of Saratoga Avenue is in private ownership and generally in residential use. To the east of the Champlain Canal, approximately half of the land is in private ownership and half is in public or quasi-public ownership. The largest private landowner in this area is Mohawk Paper, which owns seven parcels that encompass most of the land between Mohawk Avenue and the Town's Garrett Field. Privately owned land in residential use is concentrated along Champlain Avenue, which terminates in a large parcel owned by the Town of Waterford.

Land in public ownership includes two parcels located on both sides of the canal at Burton Avenue which are owned by Niagara Mohawk, and two large parcels owned by the Town which encompass 10.95 acres on the east side of the Champlain Canal to the south of Burton Avenue.

Lower Mohawk/South Waterford Flight Sub-Area

Although much of the waterfront land to the south of Waterford Flight is in public or quasi-public ownership, most of the inland area is in private ownership. The approximately 345-acre inland area consists generally of five large, privately owned parcels and four small privately owned lots.

In the shoreline areas, New York State owns much of the waterfront land on the south side of the Flight (see Upper Mohawk/North Waterford Flight Sub-Area above). In addition, Niagara Mohawk owns two parcels consisting of a narrow 30.29-acre right-of-way between an unnamed stream and Leger Avenue in Northside, and a narrow 33.23-acre right-of-way to the northeast along the west side of Mountainview Road and north and west of Catalo Drive.

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Five Islands Sub-Area

This five island sub-area includes Peebles, Polrump, Goat, Bock and Second Islands. These islands are largely in public ownership. New York State owns Peebles, Polrump, and Goat Islands, which encompass a total of 150.22 acres. The 1.38 acre Bock Island is owned by Mohawk Paper. Second Island is owned by Camp Kavanaugh, Inc. and is affiliated with the Boy Scouts.

VILLAGE OF WATERFORD

Northern Village Sub-Area

As is true in other sub-areas, the majority of land in this sub-area is privately owned and in residential or commercial use. However, this sub-area also includes a considerable amount of land in public or quasi-public ownership, such as the D & H railway right-of-way, the NYS-owned Champlain Canal right-of-way, and Village-owned recreational lands.

Broad Street Commercial Sub-Area

The majority of land in this sub-area is privately owned. Commercial and residential uses predominate. Land in public or quasi-public use includes the Village-owned Soldiers and Sailors' Park on the northeast corner of First and Broad Streets and Knickerbocker Park on the northwest corner of First and Broad Streets, both of which overlook the Hudson River on either side of the Troy-Waterford Bridge. The Village also owns a number of scattered properties in this sub-area, including a small parcel of land on Pearl Street (between Broad and Middle Streets), the headquarters of Waterford Rescue Squad at the corner of Division and Fourth Streets; the Waterford Civic Center, which is situated in a historic church on Third Street; and a small public parking lot on Broad Street. New York State owns the parking lot to the north of the Civic Center as well as the Old Champlain Canal right-of-way.

Battery Sub-Area

Nearly three quarters of the land in this sub-area is privately owned and residential uses predominate. However, New York State owns nearly all the waterfront land extending northwest through the sub-area (and beyond) from the intersection of the Hudson and Mohawk Rivers to the Village's border with the town. New York State also owns the old Champlain Canal right-of-way, the entrance of which is located in the sub-area.

The remaining land includes the one-acre Waterford Rural Cemetery, and two large parcels along the Erie Canal which are part of New York State's canal lands. These lands encompass

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much of the Erie waterfront in the village and represent a total of 22.13 acres. One of these parcels is located to the north of Ninth Street; the other is on the triangular parcel of land defined by the intersection of the Mohawk River and Erie Canal. One small parcel on the southeast corner of Second and Front Streets is owned by the Delaware & Hudson Railway Company.

F. PUBLIC ACCESS AND RECREATION

The Town and Village of Waterford have a wide variety of access points and recreational facilities from state park lands along the Waterford Flight to neighborhood parks in Town and Village residential areas (see the [Public Access and Recreation Areas Map](#)). Waterford's close proximity to the Old Champlain Canal, the Erie Canal, the Hudson River (an American Heritage River), the Mohawk River, and five islands provides numerous recreational opportunities for its residents. Waterford is also part of the RiverSpark Heritage Area, one of approximately seventeen such areas across the state.⁵ Most of the parks and recreational facilities are publicly owned by the Town or Village except for those parks on lands owned by the New York State Canal Corporation, several of which are maintained by the Town.

TOWN OF WATERFORD

Hudson River Road Sub-Area

- ***Champlain Canal Trail:*** A walking trail that begins as part of the Champlain Walking Trail that runs from Battery Park in the Village to the Museum. The trail is then picked up at Broad and Sixth Streets and runs along the Old Champlain Canal north through the Village and Town.

Upper Mohawk/North Waterford Flight Sub-Area

- ***The Waterford Flight:*** This is an impressive set of five lift locks along the Erie Division of the Barge Canal. The locks are the highest set of lift locks in the world rising from an elevation of 15.2 ft at Lock 2 to the Mohawk River west of Lock 6 at an elevation of 184.0 feet. The land along the Waterford Flight is owned by the New York State Canal Corporation as part of the "Canal Corridor". The Waterford Flight begins in the Village of Waterford at Lock 2 at the mouth of the Hudson River and ends in the Town west of Lock 6 above Cohoes Falls. Lock 2 features a landscaped triangle-shaped park with picnic benches as well as a visitor's orientation exhibit established by the RiverSpark Heritage Area.⁶ It also

⁵Information taken from the *RiverSpark Urban Cultural Park Management Plan* (December 1984)

⁶Taken from *A visitor's Guide to The Waterford Flight* produced by the Waterford Historical Museum and Cultural Center, Inc.

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features the original Champlain Canal “side-cut” which now serves as a spill way and views of the Old Champlain Canal. Lock 3 features a panoramic view of the Mohawk River, and a greenspace owned by the New York State Canal Corporation containing sitting benches. An observation deck is located at Lock 6.

- **Former Alcathy’s Marina Area (now NYS Boat Launch):** Just west of Lock 6 on Waterford Flight Avenue is what is commonly known as “Alcathy’s Boat Launch” which is now a state boat launching ramp and dock. There are also picnicking facilities at this site. The site offers excellent views of Crescent Lake.

Saratoga Avenue/Northside Historic District Sub-Area

- **Garrett Field:** Located on Burton Avenue, this 7.08-acre Town Park contains two baseball fields, a soccer field, four tennis courts, dugouts for the baseball fields, a concession stand, bleachers for viewing games, and picnic tables. The Town of Waterford is planning to upgrade the Garrett Field facilities in 2000. Improvements will include enhancements to the soccer field, baseball fields and concession stands as well as the addition of a playground and a pavilion as the park currently has no shade.⁷
- **Champlain Walking Trail:** A portion of the Champlain Walking Trail, a one mile walking trail in the Town and Village of Waterford, that begins at Battery Park in the Village and runs to Lock 2, then crosses the Old Champlain Canal and runs along side the Old Champlain Canal south to the Waterford Historical Museum.

Lower Mohawk/South Waterford Flight Sub-Area

- **Clement Park:** This 5.01-acre Town park is located at the top of Clifton Street and contains two jungle gyms, two basketball courts, a baseball field, a pavilion and ample parking.

Five Islands Sub-Area

Peebles Island State Park: This 132-acre National Register-listed State-owned Park is located to the south of Waterford village and is currently accessible via Delaware Avenue (City of Cohoes). Following completion of repairs to the North Bridge, Waterford has had a direct connection to Peebles Island via Second Street. The park includes two miles of hiking trails, interpretive signage, scenic vistas, a picnic pavilion and other passive

⁷Information obtained from a telephone interview with Town Councilwoman, Elizabeth Callahan on February 22, 2000.

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recreation opportunities. The New York State Office of Parks, Recreation and Historic Preservation also owns and provides minimal interpretive signage for the former Matton Shipyard which is located across Peebles Island's South Bridge on Van Schaick Island. Peebles Island continues to be developed for recreational purposes according to a park management plan and development of a marina is in the planning stages. In spite of these improvements, Peebles Island remains largely unknown, at least partially because of the length of time that the North Bridge connecting Peebles Island to Waterford was closed. The New York State Office of Parks, Recreation and Historic Preservation also owns several of the other islands, but little is known about their history or use with the exception of Second (or King's) Island.

VILLAGE OF WATERFORD

Northern Village Sub-Area

- ***Butler Park:*** This landscaped greenspace is located at the intersection of Washington Avenue and Seventh Street in the Village.
- ***Champlain Canalway Trail:*** See above.
- ***Eighth Street Playground/Geiger Park:*** This 1.6-acre neighborhood park is located on the west side of Eighth Street and includes a playground with slides and swings, two basketball courts and a bocce ball court.
- ***Fourth Street Park:*** This 1.6-acre neighborhood park is located at Fourth and Division Streets on land owned by the Village. The park's facilities include swings, two tennis courts, slides, a wading pool, and basketball court. The old Champlain Canal forms the park's western boundary.
- ***Waterford Town Pool:*** This handicapped-accessible, in-ground pool and bathhouse is owned and operated by the Town of Waterford and is adjacent to Fourth Street Park.

Broad Street Commercial Sub-Area

- ***Flatiron Park:*** This small landscaped greenspace and flower garden is located at the intersection of Broad and Sixth Streets opposite St. Mary's Church.
- ***Knickerbocker Park:*** This passive park is located on the north side of the Troy-Waterford (Union) Bridge at the eastern gateway to the Village. Encompassing .62 acres, the park includes a landscaped sitting area and pavilion overlooking the Hudson River to

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Lansingburgh. The Village has received a grant from the Hudson River Valley Greenway to install antique style lighting in Knickerbocker Park at the intersection of Broad and First Street. Currently the park is a sitting park with a gazebo that overlooks the Hudson River. The Village has proposed rehabilitating the park by integrating more historical or appropriate materials and landscaping.⁸

- ***Soldiers 'and Sailors 'Memorial Park:*** This .59-acre sitting park is located on the south side of the Troy-Waterford (Union) Bridge at the Village's eastern gateway and is dedicated to the soldiers and sailors of the Korean and Vietnam Wars. The Town of Waterford is planning to improve the park by replacing materials and seating area with more historical and appropriate materials.⁹ The Town and Village have agreed to install the same antique style lights in Knickerbocker and Soldiers' and Sailors' Parks.

Battery Sub-Area

- ***Button Park:*** Button Park is located in the Village of Waterford at the foot of Third Street on the Hudson River just south of Lock 2 near the Welcome Center. There are also picnic tables and a temporary docking facility owned by New York State at the site. Battery Park is located at the confluence of the Hudson and Erie Canal at First and Front Streets. It is a half-acre in size and has a picnic area and a boat launch. Both Button and Battery Parks have the Champlain Canal Walking Trail running through them.
- ***Battery Park:*** This Village park is situated on NYS Canal Corporation lands maintained by the Town at the confluence of the Hudson and Mohawk Rivers. Accessible from First and Front Streets, the park is a half acre in size and has a picnic area and a boat launch. The Champlain Walking Trail passes through this park.
- ***Lock 2 Park:*** This landscaped park occupies NYS Canal Corporation lands at Lock 2 of the Waterford Flight. The park contains sitting and picnicking facilities as well views of the 1854 Waterford Side-Cut and the Old Champlain Canal. There is parking for both the Lock and the park at this site.
- ***Champlain Canalway Trail:*** This walking trail begins as part of the Champlain Walking Trail which extends from the Battery Sub-area in the Village to the Saratoga

⁸As described in the Village of Waterford's 1999 Hudson River Valley Greenway Waterfront development Grant Application as prepared by Fraser and Associates

⁹As described in the Village of Waterford's 1999 Hudson River Valley Greenway Waterfront development Grant Application as prepared by Fraser and Associates.

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Avenue/Northside Historic District Sub-area, passing through this sub-area. It is then picked up at Broad and Sixth Streets and runs along the shoreline of the Old Champlain Canal.

G. INFRASTRUCTURE

Water Supply

Public water is available to the residents of the Town and Village Waterford from the Water Commissioners of the Town of Waterford. The Water Commissioners, a group formed by Chapter 391 of the Laws of 1912, controls and manages the Town's water works system; they have operated the water supply system since 1913.

The water works system for the Town and Village consists of both the water treatment system and the tanks and pipes used to transport the water from its source to the consumer. The water treatment facility is located at 127 Second Street, in the Village. It was built in 1894 and has had numerous updates and repairs. The Water Commissioners are in the process of evaluating and proposing the construction of a new water treatment plant. The plans are being developed by Green and Marks Engineering, the consultant engineer for the Water Board.

The water treatment facility currently has a treatment capacity of 2 million gallons per day. Water is drawn from the Hudson River and is pumped from the treatment plant to one of three storage tanks within the Town. All of the storage tanks are above ground. The largest tank has a capacity of 500,000 gallons. The two smaller tanks each have a capacity of 330,000 gallons. The need to replace these tanks or to build additional water storage tanks in the Town will be evaluated as part of the Green and Marks study.

The municipal water system was also constructed in 1894 and has had many updates and repairs over the last 106 years. Currently, it has a capacity of 3 million gallons per day and a current use of 2.1 million gallons per day. The Momentive plant on Hudson River Road has the largest individual draw of any user on the system. The Town and Village of Waterford have an arrangement with the City of Troy which allows them to draw water from Troy's municipal water system in the event of an emergency, such as a chemical spill in the Hudson River.

Approximately half of the water drawn each day is provided to users in the Town of Halfmoon. The Water Board has a contract with the Town of Halfmoon to provide up to 1 million gallons per day. The Town of Halfmoon has been considering building its own water treatment plant for several years. Local officials believe, however, that the plan is still in its preliminary stages.

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Combined, the Town's municipal water system serves approximately 10,000 residential and commercial customers in Waterford and Halfmoon. The majority of users on the system are classified as residential.

Sewage Disposal System

The sewage treatment facility has served both the Town and Village of Waterford since its completion in 1978. The facility, located on Mohawk Avenue, currently serves approximately 6,800 residential customers and a number of commercial customers. The treatment plant filters an average of 1.2 million gallons per day (mgd). The current capacity of the facility is 1.5 mgd.

The Town sewer system reaches all developed areas in the Town and Village. Almost all structures in the Town and Village are connected to the public sewer system. However, according to the Town Water Pollution Control Facility, there are a handful of residences in the Town, predominantly seasonal homes, still using private on-site septic systems.

The largest commercial user in the Town and Village is the Momentive plant on Hudson River Road. GE filters the water that has been used for industrial purposes, but the Town sewage treatment facility handles the wastewater (sanitary sewage) generated by the plant.

The Town sewage treatment facility is currently experiencing some major problems in addition to the typical problems related to its age and use. One major problem facing the Town and Village is the combined storm and sanitary sewer system (see [Combined Sewer Overflows Map](#)). There are two areas in the Town and one in the Village with combined systems¹⁰. The Town has been cited with a consent order from the NYS Department of Environmental Conservation to separate the sewers. This is necessary because combined sanitary and storm sewers can allow raw sewage to dump into the Mohawk and Hudson rivers during times of heavy rainfall. Heavy rainfalls fill the combined sewers quicker than the treatment plant can filter the water. As a result, some of the water runs through overflow vents which dump directly into the rivers. This is a situation that the DEC feels must be remedied; however, no schedule for compliance has been established.

Solid Waste Disposal

The Town and Village of Waterford have established a contract with a private garbage hauler to collect and dispose of household waste. The company, Hardesty and Sons, provides year-round household collection of waste to residents in both the Town and Village. The contract benefits the

¹⁰ A Town map indicates that two of these areas are on the Champlain Canal and one is near Clifton Street and First Avenue. A fourth area near Front and First Streets in the Village has been partially corrected.

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residents of Waterford by providing reduced garbage hauling costs, especially for residents in the more rural areas of the Town. Waterford residents are also able to drop off household waste that cannot be put in with the weekly garbage collection. The collection occurs at the Town garage on specified days from April to October.

Transportation Systems

Roadways

Jurisdictional classification identifies the level of government that holds responsibility for maintenance and design of a given road. These jurisdictions are typically state, county and local. The [Local Roads Map](#) illustrates the major roadways in the Town and Village of Waterford.

State routes make up many of the vital links to and from other municipalities in the region. Currently, NYS Route 32 is the only state route running through Waterford. The route runs north-south, connecting the Town of Waterford to the Town of Halfmoon and the City of Mechanicville on the north and the City of Cohoes on the south. North of the Village, Route 32 runs along the shoreline of the Hudson River. The roadway handles a significant amount of traffic. (A portion of Route 32 from the Village of Waterford to the City of Cohoes is included as part of the proposed Mohawk Towpath Trail Scenic Byway. The byway, which would connect Waterford with Schenectady's Stockade District, is described under Recent Initiatives in the Local Economy section.)

NYS Route 32 overlaps with U.S. Route 4, which runs north-south through the City of Troy and Rensselaer County, from the Waterford Bridge north to the Town of Stillwater; Route 4 then continues northward into Washington County and Vermont. According to the *Draft Enhancement Plan* for the proposed Champlain Canal Byway¹¹, which follows the U.S. 4 corridor, the most heavily traveled segments of the road are in Mechanicville, Fort Edward, and Hudson Falls. The report identifies five miles of U.S. 4 pavement north of the Village of Waterford as being in poor to fair condition¹². It also notes that the intersections of Route 4 and Second Street, and Route 4 and Division Street, in the Village of Waterford have been designated by the NYS Department of Transportation as Priority Investigation Locations, sections of state highway where the accident rate is greater than average.

¹¹ See discussion of the Champlain Canal Scenic Byway in The Local Economy section.

¹² The pavement conditions are rated by the NYS Department of Transportation (DOT) and were reported in the 1998 NYSDOT Region 1 Highway Sufficiency Rating Manual.

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The NYS Department of Transportation recently completed work on the Fourth and Sixth Street bridges in the Village of Waterford. In addition, bids will be solicited for work on the Ninth Street bridge over the Barge Canal later this year. NYSDOT coordinated with the Village of Waterford and the NYS Office of Parks, Recreation, and Historic Preservation to rehabilitate North Bridge, which links the Village to Peebles Island. Work was completed in 2003.

Waterford has a limited number of county highways. County Routes 96 (Middletown Road) and 97 (Fonda Road) run from the northeastern corner of the Village of Waterford northwest through the Town of Waterford to the Town of Halfmoon. Just before the two roads reach the Halfmoon municipal line, they join together. These two roadways, which carry traffic to the majority of the housing available in the Town outside the Village, are the only major travel routes linking the Village with the northwestern section of the Town.

Traffic count data is available from the Saratoga County Highway Department for these roadways. However, unlike the state traffic counts, the County road counts for the last three years were not conducted in a uniform manner and as such, do not allow for a direct comparison of traffic trends over time.

All other roadways in the Town and Village of Waterford are classified as local roads (see the [Local Roads Map](#)). These roads are maintained by the Town Highway Department.

Three road segments within the Town and Village are considered non-state federal-aid roads. These are federal-aid roads, not part of the state touring route system, that are maintained by either municipalities or counties. Road segments in Waterford include Fonda Road from Middletown Road to Sixth Street, Middletown Road from Fonda Road to the Village line (both maintained by Saratoga County), and Sixth Street from Route 4 to the Village line (maintained by the Village of Waterford).

Despite the geographical location of Waterford in the Capital Region, there are no four-lane highways running through the Town or Village. Interstate 787 (I-787) is the primary interstate serving Waterford. Although the original plans for I-787 called for the road to run through the Village of Waterford, the proposal was never implemented. An I-787 interchange in the City of Cohoes carries traffic into Waterford via Route 32, providing access to the regional interstate highway network. Waterford residents can also access the Northway (I-87) via the Grooms Road exit in the Town of Halfmoon.

Rail

Rail service (freight only) is provided by CSX Transportation. The service currently provided is the same as that of the previous rail line, Conrail, and there are no plans to change the service or to make

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any physical improvements to the Waterford area. While no passenger service is currently available in Waterford, the regional passenger rail station is located nearby in the City of Rensselaer. A new station is currently under construction and rails are being upgraded to accommodate high speed rail.

Air

The Town of Waterford does not have an airport, but Saratoga County is served by five airports. The Saratoga County Airport in Ballston Spa is the largest of the five. According to the NYS DOT *Inventory of Aviation Facilities*, 69 aircraft are based at the airport. There were a total of 38,550 annual aircraft operations in the 12 months prior to the last inspection (each landing and takeoff is counted as a separate operation). In comparison, Albany International Airport, which is classified as a commercial use airport and provides passenger service to the region, had a total of 130,768 operations and 116 aircraft that use it as a home base. Albany International Airport, which recently expanded into substantial new facilities, is a much larger airport used for both cargo and passenger flights.

Water

The Town and Village of Waterford are located along the banks of the Hudson River. The City of Troy, just across the river, was the original navigational “head” of the Hudson River. With the construction of the New York State Barge Canal System in 1915 and its connection with the Hudson River in Waterford, the Town and Village and surrounding area are well situated to make very good use of the waterways. Currently, there are two kinds of traffic along the Hudson River and the Barge Canal System: commercial and pleasure boat.

The movement of commercial goods along the Hudson and Barge Canal is done by barges. The area along the Troy shoreline is a 14 foot shallow drop channel. From the Troy Dam through the Waterford Flight, the water depth in the channel varies between 12 and 14 feet. The controlling depth from the Troy Dam to Waterford was 13 feet in July of 1996. Consequently, the size and depth of the channel limit the size of the vessels that can transport goods through the area. This limitation is not likely to change due to the lack of demand for a deeper channel and the Congressional action that would be necessary to dredge and change the channel.

According to statistical information compiled by the New York State Canal Corporation, boat traffic along the canals increased considerably throughout the late 1990s. Traffic count increases ranged from a 9% increase at Lock 2 to 11% at Lock 3, 13% at Locks 3 and 5 and 14% at Lock 6. While the western portion of Erie Canal is experiencing significant tour boat traffic, this has not been true in the eastern portion. This situation can be expected to change with the completion of the major waterfront improvements funded under the U.S. Department of Housing and Urban Development’s Canal Corridor Initiative. Although these projects are described in greater detail above, Waterford’s

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waterfront improvement projects include construction of a waterfront promenade from the Hudson River to Lock 2; completion of a visitor welcome and interpretive center, and village streetscape improvements. These enhancements will assist Waterford in attracting tour boats as well as additional pleasure and commercial boat travelers.

Bicycle

Bicycle use is also an important alternate mode of transportation. While most residents within the Town do not use bicycles for transportation, there are many children who use them to travel from one point to another. This is especially evident around the village. Here, children ride bicycles on the street and dirt shoulders next to cars and trucks. Bicycle use by children should be promoted and encouraged and the only way to do so is with dedicated areas for children to ride (i.e. sidewalks).

Public Transit

Public transit service in Waterford is provided by the Capital District Transportation Authority (CDTA). The bus has a route from Waterford to Troy, where riders can transfer to other buses for the ride into the cities of Albany and Schenectady. The bus runs fairly often and could be used by people working outside of Waterford.

As of November 15, 1999, Route 85 (Waterford - Troy) ran every day of the week. On weekdays, the first pickup in Waterford is at 5:40 AM and the last pick up is at 11:50 PM. Dropoffs in Waterford occur within minutes of the pickups, with the wait between buses averaging approximately 20 minutes. On Saturdays, the bus runs at about the same times, only with a 30 minute wait between pickups and dropoffs. On Sunday, the bus runs from about 9:30 AM to 5:30 PM with pickups and dropoffs occurring every 1.5 hours.

H. HISTORIC RESOURCES

Along with the rivers and canals that intersect in the Town and Village of Waterford, history and architecture are among the community's greatest assets. With the exception of the Northside Historic District and a few isolated structures, most of Waterford's historic resources are located within the village. Waterford Village is defined by an extraordinary spectrum of historic buildings that express a wide variety of architectural styles, including Federal, Georgian, Empire, and Greek Revival styles as well as expressions of various Victorian fads. Most prevalent are the twenty Federal period brick townhouses with stepped "Waterford gables" and the four Greek Revival frame dwellings with full portico. Within the historic district, the Village has changed very little over time. The Waterford Village Historic District Inventory - Nomination Form, which was completed in c. 1974, states that "only thirty buildings have been constructed in this district since 1900 and only a handful since 1940;" very few new buildings have been erected since the 1970s. Similarly, 1990

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census data indicates that 77.3% of housing within the village was built before 1940. Field surveys suggest that most of these buildings actually date to the early- to mid-1800s.

Waterford's older neighborhoods, both within and outside the historic districts, reflect development patterns and values of an earlier time period. Compared to modern development patterns, they are very compact, pedestrian-oriented, and humanly-scaled. Uses are not separated as they are now, but grouped for convenience and proximity to workplaces and major transportation routes. As a result, most of Waterford's older neighborhoods include a variety of housing (and other building) ages, types, and styles, churches, public buildings such as fire houses and municipal headquarters, and parks.

It should be noted that several historic buildings have been lost since the mid-1970s, including the Robert Reis and Company textile mill/Ford Manufacturing Company buildings (same site), most of the Eddy Valve complex, several buildings located in the vicinity of the former King's Power Canal, and a commercial building located on the corner of Broad and Fourth Streets. The architectural integrity of Waterford's historic buildings, many of which are in poor or fair condition, continue to be threatened by demolition (outright or by neglect) and unsympathetic alterations. Many of the alterations appear to have pre-dated the implementation of local historic preservation legislation, and mainly consist of the application of inappropriate modern sidings over historic building materials, and building additions. While many residents seem to be generally in favor of historic preservation, many complain about the poor condition of buildings in the older sections of the town and village.

National Register of Historic Place Listings¹³

The first step in recognizing and preserving community character is the identification of historic resources. This is formally done through a survey and evaluation process followed by the listing of historically and architecturally significant properties in the National and State Registers of Historic Places. The National Register survey and listing process is often the beginning of a comprehensive downtown revitalization effort.

The National Register of Historic Places (NRHP) was created under the National Historic Preservation Act of 1966 (revised 1980, 1992), which authorized the Secretary of the Interior to maintain a list of "districts, sites, buildings, structures and objects significant in American history, architecture, archeology, engineering and culture." This law was enacted following the completion

¹³See National Register of Historic Places Inventory-Nomination Forms for the Waterford Village Historic District, Northside Historic District, Peebles Island, Old Champlain Canal, Ormsby-Laughlin Textile Mill, John G. Waite & Diana S. Waite, *Industrial Archeology in Troy, Waterford, Cohoes, Green Island and Watervliet*, Hudson Mohawk Industrial Gateway, 1973; RiverSpark Urban Cultural Park Management Plan, 1985; and the Hudson Mohawk Heritage Trail Brochure.

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of *With Heritage So Rich*, a comprehensive report undertaken by the U.S. Conference of Mayors' Special Committee on Historic Preservation in response to the substantial loss of historic and cultural resources brought about by urban renewal and the construction of the interstate highway system. The National Register generally includes individually-listed buildings or sites and districts made up of numerous contributing structures in a tightly defined geographic area. Buildings eligible for listing in the National Register must:

- be associated with historic events; or
- be associated with the lives of persons significant in our past; or
- embody distinctive architectural or artistic characteristics; or
- yield, or be likely to yield, information important in history or pre-history.

Ordinarily cemeteries, birthplaces or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years are not considered eligible for the National Register. Such properties may qualify, however, if they are part of a designated historic district or if they fall within certain categories.

The National Register is concerned with resources that can be considered of *national, state and local* significance as determined by analysis according to evaluation criteria. Under the New York State Historic Preservation Act of 1980 (Article 14 of the New York State Executive Law), New York State maintains a State Register of Historic Places that parallels the National Register program.

Generally speaking, resources listed on the National Register are automatically listed in the State Register.

Listing in the National and State Registers of Historic Places provides an honorary designation, enables commercial and industrial building owners to qualify for historic preservation tax credits, and requires that *federal* and *state* actions and programs affecting designated resources comply with national and state legislation. However, because actions taken by private property owners or carried out with private funding (or financed by local governments) are not subject to compliance, many municipalities enact local historic preservation laws and establish their own lists of local landmarks to ensure a higher level of protection for historic and cultural resources. When well-crafted with input from the community and development of specific design review guidelines, such local laws provide the most reliable means of protecting a community's historic resources.

The Town and Village of Waterford have more than 300 buildings listed on the National Register. Although Waterford has several individually-listed buildings and sites, most historic resources are concentrated in Waterford's two historic districts, the Waterford Village Historic District (listed in

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1977) and Northside Historic District (listed in 1975) (see [Historic Districts Map](#)). Given the importance of the Hudson and Mohawk Rivers and the Champlain and Erie Canals as transportation corridors and sources of power for local industries, it is not surprising that Waterford's historic resources are located predominantly in village and waterfront areas.

Waterford Village Historic District

Located at the junction of the Hudson and Mohawk Rivers in the area immediately north of Peebles Island State Park, the Waterford Village Historic District includes approximately 200 buildings, which represents more than half of all buildings located within the village. As the [Historic Districts](#) map illustrates, the district is roughly bounded by the Hudson River, Erie Canal and State Street and contains residential buildings ranging from the modest homes of factory workers to the elaborate mansions built by wealthy industrialists, churches, commercial buildings, industrial buildings, schools, governmental buildings and transportation-related structures. Portions of First, Second, Third, Fourth, Sixth, South, Division, Hudson, Middle and Broad Streets are included in the district.

The Waterford Village Historic District includes the village's centrally located and architecturally significant Broad Street business district, the distinctive Waterford Town Hall (on the northeast side of the alley between Third and Fourth Streets), and the Key Bank Building (originally the National Commercial Bank and Trust Company Building; located at the intersection of Broad and Fourth Streets). While the district includes a wide range of architectural styles, Broad Street includes nearly a dozen brick Federal buildings with the distinctive stepped gables which are commonly referred to as "Waterford gables." Broad Street also retains a number of fairly intact historic storefronts. In spite of its high quality architecture and neighborhood character, however, Broad Street and the surrounding areas suffer from deferred maintenance and unsympathetic alterations, and many storefronts are empty.

Generally speaking, the most architecturally distinguished buildings are located along Broad Streets and the street segments immediately north and south of Broad. Residential buildings between Broad Street and the Erie Canal become increasingly modest toward the canal. The greatest concentration of architecturally distinguished buildings is located in the vicinity of the Third Street/Middle Street intersection. Federal and Greek Revival style buildings predominate.

In addition to those buildings already discussed, notable buildings include:

- **First Presbyterian Church/Waterford Community Center** (63 Third Street): Designed by architect Samuel Stewart and later remodeled by architect Frederick Cummings, this building features Tiffany windows.

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- **Colonel Samuel Smith House** (64 First Street): Built in 1873, the cast-in-place concrete house is considered to be one of the oldest poured concrete houses in New York State. It was called a “mudhouse” by contemporaries of Smith and is a monument to architectural individuality and originality. The house is constructed in the Second Empire style with a mansard roof.
- **Isaac Eddy House** (37 Middle Street): Isaac Eddy was the inventor of modern printers' ink and father of inventors Thomas and George Eddy.
- **William Burton House** (62 Second Street): William Burton operated sawmills which made high-quality wood veneers. The late nineteenth century house features a tower and verandah.
- **Thomas Knickerbacker House** (66 Second Street): Thomas Knickerbacker owned the Eddy Valve Company. The large, square hip roofed residence has Italianate details.
- **J. B. Enos House** (69 Second Street): J. B. Enos owned Enos Flour Mills. The brick federal style house includes the distinctive stepped gable found in Waterford.
- **Thomas Eddy House** (60 Third Street): Thomas Eddy was the inventor of colored printers' ink. The house is a fine example of the federal style, with stepped gables and fanlights in the gable ends.
- **James Breslin House** (70 Second Street): James Breslin was owner of the King Manufacturing Company. The Queen Anne style house includes original gas fixtures.
- **George Eddy House** (19 Broad Street): George Eddy was the inventory of the tapered seat valve and the famous Mohawk fire hydrant.
- **Lysander Button House** (22 Third Street): Lysander Button was the manufacturer of Waterford's famed Button Fire Engines. The second empire house includes a mansard roof.
- **Samuel Stewart House** (15 Broad Street): Samuel Stewart was an important sloop magnate, politician, military general, architect, and active abolitionist. The federal house was later converted into a Masonic Temple. An historic marker indicates that the house was “built 1802 by Samuel Stewart, Hudson River Sloop Owner, Civic Leader, legislator, general, architect, and abolitionist. Prototype of "Waterford Gable". Built of Dutch ballast brick. Reputed stop in "Underground Railroad." Historic visitors include Alexander Hamilton, General Lafayette, Henry Clay, Frederick Douglass, Horace Greeley and Tom Thumb.”

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- **Van Schoonhoven Carriage House** (15 Seventh Street): This brick building with slate roof and cupola, is the carriage house of the former Van Schoonhoven home. The Van Schoonhoven's were among the original founders of Waterford; the house was destroyed by fire in the 1930s.. Portions of the carriage house may date to 1790.
- **Waterford Gas Works Buildings** (1 South Street - residence, 1 ½ South Street - former gas holder building. The residence was designed by architect C. Edward Loth for William Humphreys, owner of the gas works. The gas works produced manufactured gas for the village until 1909.
- **D & H Freight Office** (119 Third Street): This building was constructed in 1896 as a freight office and passenger terminal. It is now the Waterford Public Library.
- **Canaltown** (Intersections of Fourth Street with South and Middle Streets): The neighborhoods around these intersections consist of small frame and brick houses. Consistent in scale and detailing and situated on narrow streets that date to the construction of the Champlain and Erie Canals which meet here. The Waterford Flight of Locks leading from the canal to the Hudson River is located along the southern portion of this area and is included in the Waterford Village Historic District. The waterfront area is known as “the battery.”
- **Classic Hall** (48 First Street): This simple classical brick hall with central bell tower was an early academy in the village.

Northside Historic District

Located along the Old Champlain Canal between the village's southern boundary and the Mohawk River, the Northside Historic District encompasses over one hundred buildings situated on Saratoga Avenue, Museum Lane, Fulton Street, and Canal Street. Northside is named because of its location to the north of the famous Cohoes Falls, which drops sixteen feet and once powered numerous mills on both sides of the river. Although few of Waterford's mills have survived, portions of several industrial buildings are extant, including at least one building from the Eddy Valve Company complex (within the highway department area near South Street) and one building which may have been part of the Kavanaugh Mill. These buildings are not included in the historic district, and have for the most part, lost much of their architectural integrity.

The district is generally residential in character, but includes a small portion of the King Power Canal, which provided power to the numerous textile mills and barrel factories historically located in Northside. Notable buildings include the Hugh White Mansion (built in 1830 and moved in the 1964 by the Waterford Museum and Historical Society) for use as a museum; William Mansfield

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Home (1830), and 194 Saratoga Avenue. Hugh White was the brother of Canvass White, the chief engineer of the Erie Canal. The area on the west side of Saratoga Avenue between Arch and Van Ness Streets is known locally as “Mill Owner’s Row.” In addition, because numerous mills were once located along the old Champlain Canal in this area, it is considered archaeologically sensitive.

Individually Listed Sites and Structures

Sites that are individually listed in the National Register include the Ormsby-Laughlin Textile Companies Mill (listed in 1986), Champlain Canal (listed in 1976) and Peebles Island (listed in 1973).

The Romanesque Revival style **Ormsby-Laughlin Textile Companies Mill** located at 31 Mohawk Street within the Town is the only surviving mill in the historically industrial area known as Dial City. It was constructed in 1894 by local contractor Medard Breault. Situated on a small island between the Mohawk River and the Champlain Canal, and fed by King’s Power Canal, the small community of Dial City developed into an important manufacturing center in the mid-nineteenth century, with its own factories, mills, support businesses, residential areas, and school. Its development paralleled on a small scale the development of the surrounding textile manufacturing areas of Cohoes and Troy. The other mills and industries located in this area were demolished to accommodate the construction of the water treatment facility, public parks and playing fields, and related uses; the area may therefore be archaeologically sensitive. The building is the headquarters of Ursula of Switzerland, a local clothing manufacturer.

The 73-mile long **Champlain Canal** was completed in 1823 and extended north from Waterford to Whitehall. The canal connected Lake Champlain to the Erie Canal and Mohawk River and opened up new markets in Canada and Vermont. The canal was a major impetus to the development of northern New York. Although the old canal is no longer navigable, it remains largely intact and is significant as one of the best surviving examples of the early canals (such as the C & O Canal in Maryland). Walking trails have been developed along much of Waterford’s Champlain Canal frontage. Among the original canal features that can still be seen are the three **Waterford Sidecut locks** adjacent to Erie Canal Lock 2, large sections of the canal bed, aqueducts at Stillwater and Schuylerville, and a number of stone locks and culverts.

Peebles Island, located in the Town of Waterford at the junction of the Hudson and Mohawk Rivers, is now a park owned by New York State. The 132-acre island (also known as Havers or Oat Island) was a natural crossroads, habitation and fortress for Indians and white settlers. The island is historically significant for many reasons, but is best known for its associations with the American Revolution, when it was fortified in August, 1777 by Polish engineer Thaddeus Kosciuszko. The former Cluett-Peabody Bleachery is also located on the island and portions of it have been converted

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to laboratory and office use for the New York State Office of Parks, Recreation and Historic Preservation.

As articulated in the RiverSpark Urban Cultural Park Management Plan of 1984, various state, regional and local agencies have planned to develop and enhance Peebles Island for recreational use. Plans include additional interpretive elements, and to consider the restoration of the Matton Shipyard (on Van Schaick Island, immediately south of Peebles Island, in the City of Cohoes) for interpretive purposes. Existing trails traverse the island and afford views of Cohoes Falls to the northwest.

Properties Eligible for the National Register

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) maintains a list of properties in New York State on which the agency has information, with an indication of their State and National Register listing and eligibility status. The information is derived from a number of sources. In general, the list includes only those properties whose status has been determined as part of the review of a state or federally financed undertaking (e.g., a housing rehabilitation program or issuance of a permit) or as part of an organized survey of historic resources. It *does not* include all eligible properties.

As described above, many of Waterford's historic and architecturally significant buildings have already been listed in the National Register, both as individual listings, and as part of the Waterford Village and Northside Historic Districts. However, a number of additional buildings in older residential neighborhoods dating to the post-World War II period, may be eligible for listing in the National Register by virtue of their age and representation of later architectural and residential building styles. Such neighborhoods may include Hudson, Ballston, Columbia and State Streets within the village, and the triangular residential area defined by Vanderwerken Avenue, Grace Street and Davis Street (which date to an earlier period). The latter neighborhood is physically cut off from the Northside Historic District by the railroad right-of-way. This neighborhood is characterized by two story brick and wood frame two-family houses and small single-family houses, most of which are in fair to good condition (like many of the buildings in the southern portion of the Waterford Village Historic District). Even if these buildings are never found to be eligible for listing in the National Register, these neighborhoods would benefit considerably from rehabilitation programs and a neighborhood conservation approach.

Other eligible, or potentially eligible, sites and structures include:

- Erie Canal (and Waterford Flight) corridor, which has been determined eligible;
- King's Power Canal (portions are extant)
- Troy-Waterford (Union) Bridge - iron truss bridge;
- Cohoes Bridge - reinforced concrete bridge;

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- Ninth Street Bridge - iron truss bridge;
- Fourth Street Bridge - iron truss bridge;
- Second Street (Peebles Island) Bridge - iron truss bridge;
- Fulton Street Bridge (across Champlain Canal) - iron truss bridge;
- Large Greek Revival House north of the village on Hudson River Road;
- Barn on Fonda Road; and
- Several houses scattered along Fonda Road near River Bend.

Sites and Buildings of Possible Significance¹⁴

In addition to the wide range of buildings that are most likely eligible for listing in the National Register, there are two buildings and innumerable archeological sites associated with Waterford's industrial and Native American history. The buildings include the former Eddy Valve structure that occupies a portion of the Waterford Highway Department complex at the foot of short Sixth and South streets, and an industrial building on the north side of O'Connor Street to the west of Mohawk Paper. This building may have been part of Kavanaugh's Knitting Mill or one of the numerous early industries once located in this area. It has lost much of its historic and architectural integrity.

Much of the Village of Waterford, particularly the five islands, "the battery," and other waterfront areas can be considered archeologically sensitive. Throughout Waterford's history, Native American hearth sites, burials and artifacts have been discovered on Peebles Island. Archeological surveys carried out by the New York State Office of Parks, Recreation and Historic Preservation also indicate that Peebles Island most likely contains considerable artifacts related to military occupation and troop movement during the French and Indian War and American Revolution. It is also thought that Second Island, which was deeded to the Waterford Boy Scouts early in the twentieth century, could reveal artifacts associated with Depression-era boy scout activities.

Site excavations for the new Waterford Visitor Center revealed a nineteenth-century privy along the canal. Such privies, which were brick-lined pits once used as toilets, often provide considerable evidence of historic human habitation, since they were eventually filled with garbage. While most privies are associated with homes, this particular privy was associated with the industrial buildings that once lined the canal. Indian burials and dirt mounds have also been discovered in this area.

¹⁴See Paul R. Huey, *History & Cultural Resources of the Islands Within the Fourth Branch of the Mohawk River, Village of Waterford, Saratoga County, New York*, New York State Office of Parks, Recreation and Historic Preservation Research Unit, February, 1997; Paul R. Huey, *An Archeological and Documentary History of Peebles Island State Park, Waterford, New York*, NYSOPRHP Research Unit, June 1996; Diana S. Waite, compiler, *Historic Cohoes, New York: A Survey of Historic Resources*, 1971, and Mendel Mesick Cohen, *Hudson Mohawk Industrial Gateway City Edges Final Report: The Preservation and Utilization of 19th-Century Industrial Architecture in the Hudson-Mohawk Region*, 1976; and Jane Gottlieb, "19th-century privy found along canal," *Times Union* (Saratoga section), July 21, 1998.

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Local Programs Related to Historic Preservation

The Town and Village of Waterford, like many of their neighbors, have long recognized the significance of their historic resources and have made efforts to protect and promote them. In addition to having historic districts and individual buildings and sites listed in the National Register of Historic Places (Town and Village), both municipalities are part of a number of historic preservation and heritage tourism programs, including the Hudson Mohawk Industrial Gateway, RiverSpark Heritage Area, Mohawk Valley Heritage Corridor, and Champlain Valley Heritage Corridor. These programs are described to some extent in the Regional Setting and Community Characteristics section above.

Hudson Mohawk Industrial Gateway

The Hudson Mohawk Industrial Gateway feels that the future of the region depends on the successful restructuring of historic industrial resources into the revitalized fabric of the urban environment. Its goals are to encourage the continued operation of historic industries, preservation of historic industrial buildings and sites through adaptive use and interpretation, development of tourism focused on historic industries, buildings and sites; and study of industrial development in America during the nineteenth century. As part of its efforts, the Gateway offers periodic guided tours of historic Waterford.

RiverSpark Heritage Area

Along with Troy, Cohoes, Green Island and Watervliet, Waterford is part of the Hudson Mohawk Urban Cultural Park. Now known as RiverSpark Heritage Area owing to a change in state legislation, the park continues to unite the five communities to plan for and develop the Hudson Mohawk region in ways that will preserve national historic legacies and encourage many beneficial uses from a unique cultural landscape. Like all parks in New York State's Heritage Area system, RiverSpark has four major goals of historic preservation, education, recreation and economic development.

RiverSpark's primary interpretive themes are labor and industry; sub-themes focus on the interpretation of attractions within specific communities and the manifestation of the labor and industry themes within each of the five participating communities. Goals include:

- Preserving and protecting historic buildings and settings in the park's primary zones, designated sites, and along the Heritage Trail;
- Conserving the river coastal zones, gorges, wetlands, and other natural resources within the park;

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- Educating residents of the park and visitors about the history and significance of the buildings and natural and man-made settings that help to interpret the park's labor and industry theme;
- Promoting park visitors participation in an enjoyment of active and passive pursuits;
- Improving and increasing access and use of natural areas for recreational purposes;
- Encouraging the growth of cultural tourism;
- Economic development of historic commercial districts and reuse of vacant historic structures within the park.

Although the implementation of RiverSpark's management plan has been somewhat slow, visitor centers have been established in the historic Burdett Building in downtown Troy and at the Cohoes Music Hall in Cohoes. A heritage trail and historic marker system have been developed to link and educate visitors about notable resources in each of the five communities. Waterford's new visitor center is an important addition to RiverSpark's heritage tourism offerings. The Heritage Trail includes a total of 64 stops in Waterford, Cohoes, Green Island, Troy and Watervliet. Waterford stops include the Northside Historic District, Waterford Museum and Cultural Center, NYS Barge Canal (Erie Canal), Ormsby-Laughlin Textile Mill, Old Champlain Canal, Delaware & Hudson Railroad Freight House, Waterford Village Historic District, Peebles Island, Waterford Gas Works, and Troy-Waterford Bridge.

Mohawk Valley Heritage Corridor

The mission of the Mohawk Valley Heritage Corridor, which is part of the New York State Heritage Areas System, is to preserve, promote, and celebrate the region's natural, cultural and historic strengths in order to enhance quality of life and stimulate economic vitality throughout the corridor. As noted in the organization's 1997 Management Plan, the most important elements of the corridor plan involve intertwining community revitalization, heritage tourism efforts, and historical interpretation. It is hoped that by working together, the communities can achieve tangible regional results including small business assistance, reuse of old buildings, creation of additional parks and recreational opportunities, and interpreting the region's past as a significant attraction for visitors.

MVHC communities are linked by the Mohawk River/Erie Canal waterway. The region includes Albany, Schenectady, Saratoga, Schoharie, Montgomery, Fulton, Herkimer and Oneida counties, excluding Adirondack Park Lands. Primary interpretive themes include the Iroquois Confederacy, Colonial America and the Revolutionary War and the Erie Canal. In addition, the

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MVHC management plan identifies goals, including regional identity building to heighten public awareness of the corridor; strengthening the region's unique sense of place by revitalizing waterfront communities; and promoting tourism throughout the corridor.

Champlain Valley Heritage Corridor

The National Park Service is currently seeking public comment on a draft special resource study report on cultural and natural resources in the Champlain Valley and their potential role in furthering the preservation, interpretation, and promotion of these resources.

Local Laws Related to Historic Preservation

The Village has adopted several local laws to provide a higher level of protection for its historic resources, although much remains to be done.

The Village of Waterford established a local historic district and regulatory framework for building demolition within the district by adopting Local Law No. 2 in 1985. The law states that “the protection, enhancement, and perpetuation of places, district sites, buildings, structures, and other objects having a special character or special historical or aesthetic interest or value are a public purpose” and empowers the Village Board of Trustees to “provide, by regulations, special conditions and restrictions for the protection, enhancement, and perpetuation of private property within public view.” Specific purposes of this local law are to:

- Safeguard the heritage of the Village of Waterford by preserving a district in the Village which reflects elements of its cultural, social, economic, political, and architectural history;
- Stabilize and improve property values;
- Foster civic beauty;
- Strengthen the local economy;
- Promote the use of the Historic District for the education, pleasure and welfare of the citizens of Waterford.

As described in Section 3 of the local law, local historic district boundaries correspond to the boundaries of the National Register-listed Waterford Village Historic District. The law is in effect in all zoning districts lying within the historic district boundaries and specifies that when conflicts arise between the regulations of the zoning district and the regulations of the historic district, the more restrictive regulations are applied.

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In addition, this local law stipulates that buildings within the local historic district cannot be demolished in whole or part unless the owner obtains a "Certificate of Appropriateness (COA)" from the Zoning Board of Appeals through written application. The COA application includes information about the structure to be razed, including ownership, use, condition, and in the case of rental property, income and operating revenues and expenses. The law states that COA applications will be rejected unless:

- retention of the building constitutes a public hazard that cannot be remedied by reasonable economic means;
- the structure has no historic, architectural or aesthetic interest or value in and of itself and its demolition would have no adverse impact on the integrity of the historic district or adjoining properties that have historic, architectural or aesthetic interest or value;
- there is no reasonable economic use of the structure and no reasonable alternative economic use is possible.

After a COA is denied, building owners must wait at least one year before applying again. The historic district law provides enforcement and penalty clauses. For every week that a building owner is in violation of the law's demolition provision, a fine of \$250 is assessed and building owners (or their agents) undertaking demolition work are required to restore the building to its previous condition.

A second law, Local Law No. 1 of 1986, added a new section 10.3 (c) (4) to Article X (Jurisdiction, Special Permits) of the Village Zoning Ordinance to control exterior alterations, repairs and additions, establishing strict standards designed to maintain the architectural integrity of village buildings.

The standards state that:

- The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material and distinctive architectural features should be avoided when possible.
- All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- Changes which have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have

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acquired significance in their own right, and this significance shall be recognized and respected.

- Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features.
- The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood or environment.
- Historic materials should be retained and restored. Removal or covering of historic materials is to be discouraged wherever physically and/or economically practicable.
- Retention of original design, style, and size of windows, doors, and other openings in a facade of an existing structure is to be accomplished wherever practicable. Restoration of the historic appearance of such features is to be encouraged when they have been formerly altered.
- Ornamentation in wood, masonry, or metal should be preserved and repaired on all facades. Missing elements should be restored when their configuration can be established.
- In order to retain visual integrity, new construction shall be compatible with the architecture existing in the neighborhood. Harmony or incompatibility should be evaluated in terms of the appropriateness of materials, scale, size, height, placement, rhythm, texture and design of a new building or structure in relationship to surrounding historic buildings and structures and the setting thereof.

I. TOPOGRAPHY AND GEOLOGY

The Town and Village of Waterford are located at the confluence of the Mohawk and Hudson Rivers. The Erie Canal enters the Hudson River at the south edge of the Village of Waterford. The geological history of the area is somewhat uncertain. The dominant features include two glacially

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formed plateaus, scattered sharp ridged ravines with slopes in excess of 15 percent located throughout the town and the Hudson River floodplain.

Waterford, Peebles Island and the four nearby islands were evidently part of the bed of an ancient pre-glacial river gorge carved in bedrock, which the present Hudson River more or less flows. This ancient gorge was filled with ice as the Wisconsinian glaciation moved south across New York State during the Pleistocene Age beginning about 200,000 year ago. About 20,000 years ago and again about 16,000 years ago the glaciers receded northward, leaving behind vast lakes of melted ice and extensive deposits of sand and gravel.

About 15,000 years ago one lobe of a glacier re-advanced and then retreated, apparently quite rapidly, leaving irregularly stratified sand and gravel deposits within depressions on the rock surfaces. Water is believed to have risen to at least 250 feet above the present sea level, once again covering the area under deposits of clay and sediments. As the glacial waters gradually subsided, a river many times larger than the present Mohawk evidently began pouring into the Hudson Valley from the west.

This river probably swept away surface clay and silt from the bedrock along the western edge of Waterford. The Mohawk spread across the rocky bottom of the old gorge on its way to the Hudson, cutting several channels into the bedrock. The tributary channels flowing across this surface gradually became entrenched in the soft shale bedrock and formed Peebles and surrounding Islands.

The ancient Mohawk left an almost perpendicular range of slate bluffs that rises above the current Mohawk River. A series of steep sloped ridges extends behind the bluffs to the Erie Canal, ultimately forming plateaus as high as 250 feet above mean sea level. These ridges and plateaus are made up of clays and fine silts deposited during glacial retreat.

Wide alluvial flats extend along the Hudson from the Village north to the Town boundary and west to old Champlain Canal. West of the canal, the land slopes at rates of 15 percent and more, ultimately forming plateaus of up to 300 feet above mean sea level. The plateaus west of the old Champlain Canal and north of the Erie Canal are generally made up of sands carried down and deposited against an ice lobe that lay in the Town following the retreat of glacial ice.

J. WATER QUALITY

Water quality is a common concern among municipalities today. Growing populations, increased human activity, reliance on technology and the past practice of dumping waste into lakes and streams has polluted and littered many of the waterways needed to sustain life. While the past practice of dumping waste into water bodies has decreased substantially and waterways are

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significantly cleaner than they were in the past, there are lingering pollution problems that still need to be addressed.

Many contaminants currently come from septic system seepage, automobiles and boats, factory runoff, and increased impermeable surfaces which cause increased urban runoff. These contaminants have led to the imposition of restrictions on the uses allowed within and around polluted water bodies. The water bodies in the Waterford study area have all sustained pollution problems at some time. To track and mitigate these problems, the New York State Department of Environmental Conservation (NYSDEC) monitors New York State water bodies in order to evaluate and assess New York State's pollution problems. Other government agencies and public groups also actively monitor and assess water quality issues throughout New York State.

Water Quality Monitoring

The foundation of the NYSDEC's water quality monitoring and assessment program lies in the agency's Rotating Intensive Basin Studies (RIBS) Program, which "represents the latest iteration of a state water quality monitoring program that was established in the 1960's." RIBS is a sampling program comprised of three separate monitoring networks that focus on different water quality data and assessments. RIBS information is used to compile information pertaining to water quality.

Within the Waterford LWRP study area, two water bodies were listed on the 1996 Priority Water bodies List (PWL). The PWL is a database that is constantly updated to provide a focus for program activities, maintain a consistent and objective inventory/evaluation, provide a review of water quality history, and to monitor the progress of DEC programs and efforts developed to maintain and increase the quality of New York State's waterways.

The PWL lists use impairments within each monitored waterbody and the severity of each impairment. The potential waterbody uses affected by pollutants are: the water supply, shellfishing, bathing/swimming, fish consumption, fish propagation, fish survival, boating and aesthetics. Each impaired waterbody use is issued a severity measure that is used to make an assessment of the ability to use the waterbody for the activity. Not all of the above activities are impaired in a certain waterbody. Some activities can be impaired while others are not, depending upon the overall water quality.

The worst severity level is precluded. In water bodies of this level of pollution, there are frequent or persistent water quality problems that prevent all aspects of use of the waterbody. The next severity condition is labeled as impaired. In water bodies of this type, there are occasional water quality problems that limit or restrict its use. The least harmful of the severity ratings are labeled stressed and threatened. A stressed waterbody use is not a significantly limited use, however occasional water quality condition problems or a declining habitat discourage the use of the waterbody for the

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particular use at certain times. A threatened waterbody use is one that currently supports all uses and shows no signs of stress, however monitoring efforts have discovered an increase in pollutants (below a problem level) that cause some concern about future water quality. A threatened waterbody has no use restrictions or noticeable water quality problems, but it is considered to be an extremely valuable natural resource worth protecting.

The PWL defines the potential for a waterbody to recover and for the problems associated with it to be resolved. The ranking criteria are High, Medium, and Low. As stated in the *1998 New York State Water Quality* document (*submitted pursuant to Section 305(b) of the Federal Clean Water Act Amendments of 1977 (PL 95-217)*), a waterbody having a *high* resolution potential "...has been deemed worthy of the expenditure of available resources (time and dollar) because of the level of public interest and the expectation that the commitment of these resources will result in either a measurable improvement in the situation or additional information necessary for the management of the water resource." A waterbody ranked as having a *medium* resolution potential specifies that the "...resources necessary to address the problem are beyond what are currently available. With additional resources, these segments could become high resolution potential segments." Finally, the lowest waterbody ranking is *low*. This ranking denotes a segment "...with water quality problems so persistent/intractable that improvements are expected to require an unrealistically high commitment of resources not likely to become available."

The DEC also lists water bodies through a water quality classification system. Each waterbody is classified by its best potential use(s) and the restrictions/regulations on activities within each. For freshwater bodies of water, there are eight classifications used in the PWL.

Waterbody Classifications

Upper Hudson River (Including the Champlain Canal)

The Upper Hudson River is a 40.1 mile segment from Fort Edward to the Troy Dam. It is part of the Upper Hudson River Drainage Basin which covers an area of 40,000 square miles and a population of 260,000. Overall, the water quality within the Upper Hudson River is "relatively good" with some areas of significant water quality problems. The most serious water quality problem has developed from the PCB contamination of the river bed from electrical capacitor manufacturing plants located below Hudson Falls and Fort Edward. Recent information submitted to the DEC by the General Electric Company, owner of the sites, indicates that adjacent lands to their sites are highly contaminated with PCB's. G.E. has entered into a consent agreement with DEC to remediate the plant site.

The primary use impairment in 1998 was for fish consumption. The use was listed as precluded denoting frequent and persistent water quality or quantity conditions that prevent all aspects of

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waterbody use. The cause of the pollution is priority organics from contaminated soils, predominantly PCB's.

The river section is a Class C fresh surface waterbody suitable for fish propagation and survival and possibly primary or secondary contact recreation, depending upon existing conditions. However, some sections of the river list fish survival as precluded. Fish consumption is listed as precluded as well, and as listed above is banned in the Upper Hudson River.

In 1995, the DEC lifted the nineteen-year ban on fishing that had been imposed on this section of the Hudson River. Between the Troy Dam and Bakers Falls, catch-and-release fishing is now permitted as long as all fish caught in this section of the river and its tributaries are immediately returned to the water. The catch-and-release designation forbids that possession of any fish taken from the waters, including bait fish and trophy fish. The state has found that the fishing in this section of the river has become very good in past years and caution that it will only remain stable if the catch and release regulations in place are adhered to.

Mohawk River

This Mohawk River section is a 13.0 mile segment from Lock 7, between Waterford and Schenectady, to the mouth of the canal and the Hudson River. It is part of the Mohawk River Drainage Basin that includes approximately 3,500 square miles of land area with an estimated population of 640,000. Overall, there are a wide variety of problems with the Mohawk River resulting from the mix of forested, agricultural, residential and urban landscapes. Throughout the river, priority organics, agricultural activities and erosion, tannery discharges and acid precipitation are causing pollution problems.

The primary use impairment for this section of the Mohawk River is for the water supply. The impairment is listed as stressed meaning that the use of the river as a water supply is not significantly restricted or limited, however occasional water quality or quantity conditions periodically discourage the use of the waterbody. The cause of the pollution is nonpriority organics, specifically deicing agents.

This river section is a Class A fresh surface waterbody suitable as a source of drinking water, primary and secondary contact recreation and fishing. The waters are also suitable for fish propagation and survival. However, not all sections of the river are class A. Some of the areas upstream and downstream are rated lower and do not provide the higher level of water quality of this section.

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Erie Canal

Water in the Erie Canal (New York State Canal) in Waterford is not directly monitored by the NYS Water Quality Monitoring Program. Given that much of the canal system uses natural rivers and lakes throughout the state, it is likely that any sections not part of a natural waterway are directly linked to it and as such have the same water quality issues. The section of the Canal separate from the Mohawk River in Waterford is directly fed by the Mohawk and as such, it most likely has the same (or similar) water quality concerns.

K. ENVIRONMENTALLY SENSITIVE FEATURES AND ISSUES

Steep Slopes

Waterford's location at the confluence of two major rivers has ensured an extremely rugged topography (see [Slopes Map](#)). There are numerous sharp-ridged ravines with slopes well in excess of 15%. Although it is somewhat difficult to describe the location of these slopes in a narrative format, the existence of steep slopes is generally reflected in the development patterns of the Town and Village.

Within the Village of Waterford, steep slopes generally exist along the Mohawk and Hudson River shorelines, the two canal shorelines and portions of the old D and H railroad right-of-way, which was built above the natural ground level to overcome floodplain constraints. There are few steep slopes in the inland areas within the village.

Within the Town, steep slopes are abundant. Portions of the Town with the gentlest slopes include the land north of the village between the old Champlain Canal and the Hudson River; and the areas now occupied by the Riverbend development. Relatively flat areas also exist in the southern half of the Middletown Road area. Portions of the Town with the steepest slopes generally occur to the north and east of Shulusky Estates (between Middletown Road and the old Champlain Canal). Along the Mohawk River, slopes are nearly vertical from the Cohoes Bridge to an area well above the Cohoes Falls, although the steep shoreline diminishes somewhat at a point roughly opposite Fonda Road in the City of Cohoes.

Nearly all other areas are subject to dramatic, but somewhat less rugged changes in topography.

Floodplain Issues

The Federal Emergency Management Agency, Flood Insurance Administration, was developed in part to administer the National Flood Insurance Program. In 1968, Congress created the National Flood Insurance Program (NFIP) "in response to the rising cost of taxpayer funded disaster relief for

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flood victims and the increasing amount of damage caused by floods.” The NFIP “makes Federally-backed flood insurance available in communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage.” Both the Town and Village of Waterford are currently participating in the National Flood Program. The Town entered the program in 1979 followed by the Village in 1980. Both had the flood maps updated in 1995.

<u>Municipality</u>	<u>Date of Entry into Program</u>	<u>Current Effective Map</u> <u>Map #</u>
Town of Waterford	12/04/79	08/16/95
“		36091C0693 E
“		36091C0691 E
“		36091C0689 E
“		36091C0687 E
“		36091C0686 E
“		36091C0683 E
“		36091C0679 E
“		36091C0678 E
Village of Waterford	05/01/80	08/16/95 36091C0691 E

A widely used flood management tool is the Flood Insurance Rate maps (FIRM) which delineate the areas that are considered to be within certain floodplain zone boundaries (see the [Floodplain Boundaries Map](#)). These zones consist of 2 major floodplain zone boundaries. The 100 year flood zone boundary (Zone A-A99) is the area that is considered to be located within the boundaries of a zone which is susceptible to flooding from a 100 year storm. The other zone is the 500 year floodplain zone boundary (Zone B) which is considered to be located within the boundaries of a zone which is susceptible to flooding from a 500 year storm. All other areas are considered to be outside the 500 year floodplain zone boundary and as such essentially outside the possibility of incurring flooding.

The 100 year and 500 year floodplain zones are developed through the use of past flooding history data for the area. A 100 year floodplain zone is defined as an area which will flood from a 100 year storm, or the equivalent to the amount of rain which it took to create flooding that occurs in these areas only flood once every 100 years. The same situation is used for 500 year floodplain zones. These areas are defined as those which will flood from a 500 year storm, or the equivalent of the amount of rain that it takes to create a flooding event that occurs in these areas (and the 100 year floodplain) every 500 years. Essentially, these zones are a measure of the possibility of flooding in the area. Theoretically, a 100 year flood only occurs once every 100 years and a 500 year flood only occurs every 500 years. Sometimes these floods occur two or three times within a 100 or 500 year

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period, but as a general rule, these are a measure of the severity of flooding which occurs once during these time periods.

Canal Influence

The potential for flooding in the Village and Town is much higher than in other areas of the region. The location of Waterford at the convergence of the Hudson and Mohawk Rivers and the Erie (NYS) Canal provide a high potential for flooding. Some of these concerns are dissipated by the regulation

of the river and canal by the New York State Canal Corporation. However, even with regulation of water levels flooding will occur.

Regulation of the Canal is carried out by the Canal Corporation, a subsidiary of the NYS Thruway Authority. In 1992, State legislation transferred the responsibility and operation of the 524-mile canal from the Department of Transportation to the Thruway Authority. The goal of the Canal Corporation is to “transform the Canal System into a world class recreationway, with clustered development to foster recreation, tourism and economic development, while preserving the natural and historical environment of the system and its adjacent communities.”

The Canal Corporation is also charged with regulating the water levels of the canal system,. “Prior to navigation season, water levels are raised gradually to predetermined safe levels for summer use. In the summer, levels are regulated to provide reserve capacity sufficient to contain moderate runoff. Seasonal lake levels and other important factors such as maximum and minimum navigation levels are indicated on graphs called “rule curves” that depict ideal levels for each lake. Rule curves are the historical compromise for water level management that have been established to balance competing interests for target water levels.” To minimize flooding potential, water levels are raised or lowered by season in the following manner:

- Fall - Water levels are drawn down at the close of the season in anticipation of the spring runoff
- Winter - The lowest water level of the season
- Spring - Low levels are maintained as long as possible to accept heavy runoff, but increases are made to ensure that levels reach target for summer use.
- Summer - Attempts are made to balance competing needs and available water supply.

The Town and Village of Waterford experience significant spring flooding approximately once every two years, causing substantial property damage, particularly along the Fourth Branch of the Mohawk River in the Village. To reduce the future potential for flood damage, the Town and Village have proposed the development of a Flood Hazard Mitigation Plan, using a \$181,800 grant

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previously awarded to the Town by the NYS Department of Environmental Conservation under the 1996 Clean Water/Clean Air Bond Act Municipal Flood Protection grant program.

A scope of work for the Flood Hazard Mitigation Plan was submitted to the DEC in October 1999. The scope of the work calls for the Town and Village to develop the plan according to the model outlined by the National Flood Insurance Program's Community Rating System (CRS) and seek federal approval of the plan. CRS classification will make the Town and Village of Waterford eligible for funding under the Flood Mitigation Assistance Program to assist with implementation activities.

The Town and Village will designate a planner who will be responsible for the development, adoption and implementation of the plan, working in coordination with a voluntary planning committee. A consultant will be secured by the Town and Village to draft the mitigation plan and perform detailed engineering analyses as needed. The Town will also consult with the U.S. Army Corps of Engineers, the New York State Office of Parks, Recreation and Historic Preservation, the DEC, and the State Emergency Management Office in the development and implementation of the plan. DEC approval of the proposed Flood Hazard Mitigation Plan is currently pending.

Floodplain

Most of the Village of Waterford is located within a floodplain. From the Hudson River inland to Broad Street, the CSX right-of-way furthest west is elevated above the floodplain, however the eastern rail running through the Village is within the floodplain.

The area generally bounded by Middle Street, First Street, the CSX railroad and Broad Street lies just north of the previous site. The Old Champlain Canal running from the Erie Canal north along the eastern shore of the Champlain Canal and the area just east of the Second Street and Columbia Street intersection is also within a floodplain.

Within the Village of Waterford, the floodplain essentially covers the area from the Hudson River inland to the Old Champlain Canal. Only a small area along the Champlain Canal between the New York State Canal and the northernmost Village boundary is outside of a floodplain.

In the Town south of the Village, the floodplain covers the area inland from the Fourth Branch of the Mohawk River to the Champlain Canal. The Islands in the Fourth Branch are entirely outside of a floodplain. On Peebles Island, only the northern end of the island is within the floodplain. The floodplain along the Mohawk River, within the Town of Waterford, is entirely contained within the banks of the river itself. The floodplain remains within the waterbody along the Crescent Lake shoreline from the Mohawk River to the Canal Flight entrance. From the Flight west, the floodplain extends onto the shoreline all along the canal within the Town.

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The shoreline area north of the Town, within the Village, running along the Hudson River, is within a floodplain. From the Village line north to Higgins road, the floodplain covers the land from the Hudson River inland to the Champlain Canal. From Higgins Road, it extends from the river inland to an area just east of the Delaware and Hudson Railroad.

In the remainder of the Town, the only floodplain that exists runs along an unnamed Hudson River Tributary north of Brookwood Road. The floodplain runs along the tributary to an area just west of Harris Road. All other land within the Town of Waterford is outside of a floodplain.

Wetlands

Three New York State-designated wetlands are located within the Town of Waterford; there are *no* wetlands in the Village. These wetlands areas were recently remapped by the NYS Department of Environmental Conservation (see [Wetland Areas Map](#)). The result is an increase in the size of the three wetlands in the Town. All wetlands in the Town of Waterford are located on the Troy North quadrangle map which is designated by the label "T" and a wetland specific number.

In addition, according to the Freshwater Wetlands Mapping and Classification Regulations, the New York State Department of Environmental Conservation, must classify wetlands according to the benefits they supply. Each wetland is ranked as Class I, Class II, Class III, or Class IV, with Class I wetlands being most beneficial and Class IV wetlands being least beneficial to the human and natural environment. The Department stresses, however, that it opposes development in, or the deposit of fill in, a wetland regardless of its classifications.

New York State Designated Wetlands		
<i>Code #</i>	<i>Class #</i>	<i>Sub-Area</i>
T-8	I	Hudson River Road
T-5	II	Fonda Road
T-7	II	Hudson River Road & Middletown Road (portions on both sides of the Champlain Canal)

These wetlands have use restrictions placed on them pursuant to the Freshwater Wetlands Act and **are** classified according to ecological significance, diversity of species, and number and frequency of endangered species. The presence of these wetlands present a significant natural and regulatory

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barrier to development. At the same time, however, these wetlands provide a home for a variety of species, alleviate the threat of flooding and fulfill other important natural purposes.

Soils

There are four major soil types within the waterfront revitalization boundaries. These generally consist of lake-laid sediments, glacial till and bottom lands including Rhinebeck-Madalin, Hudson, Nassau-Manlius and Podunk Series soils. Most soils found in Waterford have moderate to severe development limitations and except for the Podunk soils near the Hudson River, some agricultural limitations as well.

Field surveys for the soils map were conducted in 1917, therefore the exact boundaries between the major classifications shown in the soils map are not precise and should be used as a reference only. Saratoga County has completed an updated soil survey for the entire County, issued in 2004, which provides more precise information on boundaries.

As the [Soils Map](#) illustrates, Rhinebeck-Madalin Series soils are found in the Hudson River Road Sub-area, west of the old Champlain Canal and in the Saratoga Avenue/Northside Historic District Sub-Area. These soils are poorly drained lake laid silts and clays. They are characterized by slow permeability and instability. They are generally poor soils for development and too wet for cultivation unless drained. In undrained condition these soils are suited to forest, native pasture and wetland.

The eastern edge of the Upper Mohawk/North Waterford Flight Subarea includes some Hudson Series soils. These soils are fine textured lake-laid silts and clays that are well and moderately well drained. Runoff is rapid, but internal drainage is slow. Instability and slow permeability of the subsoil limit development possibilities. Steep slopes are susceptible to erosion.

Much of the Upper Mohawk/North Waterford Flight Sub-Area and the Lower Mohawk/South Waterford Flight and Islands Sub-Areas are characterized by Nassau-Manlius Series soils. These soils are made up of glacial till or residium that is derived from soft, dark-colored shales. They are shallow, less than 22 inches to soft shale bedrock, and susceptible to erosion. They are rocky with shale fragments generally occupying 20 to 70 percent of the soil volume. Their shallow depth and susceptibility to erosion impose moderate development limitations on the soils. They are considered droughty and crops generally do not do well.

The Village of Waterford and the Hudson River Road Sub-Area east of the old Champlain Canal are characterized by Podunk Series soils. These are bottom land, moderately sandy soils that are subject to flooding. This soil type is well mixed and poorly drained. Wetness and flooding hazards place

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severe limitations on these soils for development. They are generally well suited to forage and most crops, although crops are sometimes damaged during wet periods.

*Environmental Hazards*¹⁵

According to the New York State Department of Environmental Conservation (NYDEC), there are three identified hazardous waste sites in the Town and Village of Waterford: the General Electric landfill; the former Friedrichson's Cooperage site on Saratoga Avenue; and the Peebles Island Landfill.

The General Electric landfill located west of the Momentive plant on Route 32 at the town's northern border is the old town landfill and is still in use by Momentive (formerly GE Silicones). The landfill consists of five separate areas that have been used to dispose of a variety of materials from trash to chemical wastes. Three of the areas within the landfill are inactive, and all three were used to store chemical wastes. Of the two active areas, one is used for trash and scrap silicone materials, the other to store hazardous wastes. The landfill is a Federal Resource Conservation and Recovery Act permitted facility.

Although the hazardous waste sites are confined within the General Electric property and are not accessible to the public, groundwater sampling and other analyses have shown off-site migration of contaminants. General Electric has purchased a number of homes that have been impacted or may potentially be impacted to eliminate exposure in those areas. The landfill is listed by the NYSDEC Division of Environmental Remediation and a remedial construction has been completed.

The second hazardous waste site, Friedrichson's Cooperage, located at 153-155 Saratoga Avenue was the site of an EPA emergency removal action from 1994 to 1996. Barrels containing hazardous wastes were removed and buildings were demolished in the EPA-financed action. NYSDEC is investigating further remediation needs for the site and expects to complete its analysis in 2007. NYSDEC is working to determine whether on-site contaminants have migrated through the soil or groundwater. If there has been movement, then further remediation will be needed. If contaminants have remained on site, no further action will be required.

The Peebles Island Landfill is also listed as an inactive hazardous waste facility by NYSDEC and was remediated by the responsible party in 1991.

¹⁵Telephone interviews with Mike Mason, Dennis Ferrara, and John Sworthout, NYS Department of Environmental Conservation.

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While not technically considered a hazardous waste site, the former Mohawk Tire recycling facility presents a solid waste issue for Waterford. The tire recycler operated with a solid waste permit from NYSDEC. The company substantially exceeded permit allowances for the number of tires on site causing the firm to lose its solid waste permit. The NYSDEC sued Mohawk Tire, and the resulting Supreme Court order prohibits the operator from doing business again in the State of New York.

The state is now seeking another operator for the site. It is unlikely that anyone would be interested in the facility as there are still more tires on the site than allowed under state permitting requirements. The state has removed some tires from the site already and has a contract to remove 2.1 million more tires. The site will still have tires on it when the state is done.

L. FISH AND WILDLIFE RESOURCES

According to the New York State Department of Environmental Conservation's Division of Fish and Wildlife, which maintains a species and habitat database for the state, there are no endangered, threatened or special concern wildlife species, rare plant, animal or natural community occurrences, or significant habitats in Waterford or Peebles Island. This does not necessarily mean that these do not exist, but rather that the files currently do not have any information that indicates their presence.

On-site surveys may still be necessary to assess the impact of specific projects on plants and animals as required under the State Environmental Quality Review Act (SEQR).

All fishing at the mouth of the Mohawk and in the Hudson is "catch and release" due to the elevated PCB levels in the Hudson River. Fishing is permitted above the Cohoes-Waterford Dam of the Hudson River, Lock 2 of the barge canal and Sugar Loaf Pond. Hydropower plants along the rivers limit fish migration and spawning for Blueback herring and shad, anadromous species that travel from salt water to fresh each year to spawn. No species listed on state or federal endangered lists are found in the area.

Mohawk River game fish species include largemouth bass, Smallmouth bass, striped bass, tiger musky and walleye. Pan fish include Blue crappie, Black crappie, Bluegills Brown Bullhead, Channel catfish, pumpkinseed, Redbreast sunfish, Rock bass, White catfish, White crappie, White perch and Yellow perch. Other species collected include alewife, American eel, Blueback herring, carp, goldfish, golden shiner and White sucker. Species not collected, but assumed to be present at the mouth of the Mohawk River include fallfish, gizzard shad and freshwater drum.

Fish species in the Hudson River above the dam at Troy and the next upstream lock are similar to those found at the mouth of the Mohawk. Game fish species include brown trout, large and small mouth bass, northern pike, striped bass and chain pickerel. Pan fish species include black crappie, bluegill, rock bass, white catfish and yellow bullhead. Other fish species include American eel,

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blueback herring, common carp, fallfish, goldfish, golden shiners, Shorthead redhorse, spottail shiner and white sucker.

M. SCENIC VISTAS

Among the Town and Village of Waterford's best kept secrets are the number and variety of stunning viewsheds and diverse landscapes. The most notable viewing points include the Cohoes Falls/Mohawk River overlook, the entire Waterford Flight corridor, five bridges, and Peebles Island State Park. The [Scenic Visatas Map](#) provides the location of important scenic vistas in the Town and Village.

A 1986 survey conducted by the President's Commission on American Outdoors confirmed that scenic beauty is one of the most important evaluation criteria used to determine park and recreation area visitation. Scenic drives such as Pacific Coast Highway in California, Skyline Drive and the Blue Ridge Parkway in Virginia and North Carolina, Natchez Trace in Mississippi, and a wide range of state-designated scenic byways have long been popular destinations for the enjoyment of natural beauty and cultural resources. Scenic resources have economic value by virtue of their ability to attract visitors and investment. These resources are, however, non-renewable and subject to degradation through overuse and unsympathetic development and alteration.

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- **Hudson River Road:** In the Hudson River Road sub-area, excellent views from Waterford south to the Troy-Cohoes (112th Street) Bridge exist to the south of Industry Drive where U.S. Route 4/NYS Route 32 is situated almost directly on the waterfront. Most of the land is in private ownership. A few docks are located at the southern end of this area. State designation of Route 4 as a segment of the Champlain Canal Trail Scenic Byway is pending.
- **Knickerbocker and Soldiers' and Sailors' Parks:** These parks are located directly on the Hudson River waterfront to the north and south of the Troy-Waterford (126th Street) bridge at the east end of Broadway and provide scenic views of the river to the east, north and south.
- **Waterford Flight:** This impressive series of five canal locks and the adjacent Flight Lock Road provide numerous distant views of rolling hills and fields as well as opportunities to observe canal locks being operated, water levels being raised and lowered, and boats locking through. The New York State Canal Corporation owns much of the land along both sides of flight and Waterford Flight Avenue. The Town of Waterford has a pending grant application to complete a paved pedestrian trail segment with parking area, interpretive signage and related improvements between Locks 3 and 4. It hopes eventually to develop a trail along the entire length of the flight. Lock 6 includes a viewing deck.

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- **Cohoes Falls Overlook:** The undeveloped northern shoreline of the Mohawk River provides spectacular views of Cohoes Falls, Harmony Mills and parts of the City of Cohoes. The only access to this area is a narrow footpath along the cliffs. This area is included as one of RiverSpark Heritage Area's numerous scenic overlooks. The dramatic Cohoes Falls have always been a major tourism destination. Among the earliest recorded visitors are James Madison and Thomas Jefferson, who visited the falls on their way to vacation on Lake George. Although the amount of water flowing over the falls is now controlled by Niagara Mohawk Power Corporation, stunning views are still quite possible. Sensitive trail development of the Mohawk shoreline paired with viewshed protection mechanisms could make this a popular destination, although there are a number of constraints.
- **Former Alcathy's Marina Area:** Although developed to a minimal extent at present (parking lot and boat launch), this former marina area affords expansive views of the Mohawk River and Waterford Flight. At the boat launch, the Erie Canal joins with the Mohawk River and proceeds in a northern direction to Crescent, where the river bends sharply and continues westward. Already heavily used during summer months, it has the potential to become a major destination for boaters and others.
- **Riverbend Development:** Street ends along Mallard's Landing and Canvasback Ridge streets provide views of the Mohawk River. The Town of Waterford has designated a 500' foot buffer along the Mohawk River shoreline throughout the Riverbend development as a conservation zone.
- **Waterford Museum Overlook:** As noted in the RiverSpark Urban Cultural Park Management Plan, the museum grounds provide pastoral views of the Champlain Canal and Goat, Second and Peebles Island.
- **Peebles Island:** The 132-acre island is encircled by hiking trails and offers many vantage points from which to view various braches of the Mohawk River.
- **Champlain Canal Trail:** This trail follows the shoulders of Route 4 and the abandoned towpath along the old Champlain Canal. As indicated in the Eastern Gateway Canal Regional Plan, this trail segment will eventually link up with Champlain Canal Trail segments in Washington County and would include directional and interpretive signage.

VILLAGE OF WATERFORD

- **Troy-Waterford Bridge:** Sidewalks on the north and south sides of the bridge provide exceptional long views of the Hudson River, Lansingburgh section of Troy, and the Waterford shoreline. The Lansingburgh views are expected to change following planned construction of a

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new Eckerd's Drugs and strip shopping plaza, as well as the expansion of the Price Chopper grocery store.

- **Peebles Island (North) Bridge:** Long closed to vehicular and pedestrian traffic, the Peebles Island (North) Bridge was repaired and reopened in 2003. The rehabilitated bridge once again links the Village of Waterford to Peebles Island and Cohoes. Pedestrian and one-way vehicular access is provided, with traffic signals controlling traffic and tolls for use to discourage pass-through commuters.
- **Waterford-Cohoes Bridge:** Sidewalks provide opportunities to view the Mohawk River, Northside, and Cohoes.
- **NYS Canal System Locks:** The Waterford Flight of five locks and the Waterford sidecut locks are inherently interesting visual resources and also provide stunning excellent vantage points along the flight and to surrounding areas.
- **Lock 2 Park & Champlain Canal Trail:** The Champlain Canal Trail follows the route of the old towpath. It extends from Canal Park near Lock 2, crosses Broad Street, runs northward and southward (to Cohoes) along the canal through the village and portions of the Town, offering continuous views of the abandoned canal.
- **The Battery:** Recently completed and continuing improvement projects will place this area among Waterford's finest waterfront destinations, with a waterfront promenade affording extensive views along the Mohawk River and across the Hudson River to Lansingburgh.
- **Fourth Street Bridge:** Long closed to pedestrian and vehicular traffic, the Fourth Street Bridge was reopened in December, 1999. It is located a short distance southeast of Lock 2 and connects the Battery neighborhoods to the southern portion of the Town. The bridge provides excellent views of the Erie Canal, Mohawk River, Lock 2 and the Battery neighborhoods.
- **Mohawk River Shoreline:** See description of Cohoes Falls above.

N. ZONING

This section is designed to provide a basic description of the existing zoning laws and relevant local laws for the Town and Village of Waterford in terms of their purposes and intents, administrative procedures, performance standards, impact on waterfront areas, historic resources, and new development, and their ability to protect natural, historic and cultural resources. The purpose of this section is to develop an understanding about the range of local laws or other actions that might be needed to bring the Village into compliance with New York State's Coastal Zone Management Act

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and Local Revitalization Program requirements.¹⁶ See maps - [Current Zoning, Town of Waterford](#), [Current Zoning, Village of Waterford](#) and [Future Town Zoning](#).

TOWN OF WATERFORD

General

The Town of Waterford's Zoning Ordinance was formally adopted on June 7, 1966 and has been updated and reprinted as recently as February 1998. The purpose of the Town of Waterford's zoning ordinance is set forth in Article I - General Provisions, §161-2 and includes:

- promoting the public health, safety, morals, comfort and general welfare;
- conserving and protecting property and property values;
- securing the most appropriate use of land;
- lessening or avoiding congestion in the public streets and highways; and
- facilitating adequate but economical provision of public improvements,

Zoning must be in accordance with a Comprehensive Plan. Although the Town has such a plan, it dates to the 1960s and is therefore in the process of being updated concurrently with this LWRP. The Zoning Board of Appeals has the power to interpret a zoning related decision made by the Building Inspector, grant variances on appeals, and grant special permits

Zoning Districts

Building permits are required for the construction, movement, external alteration, extension and addition of all buildings. The application is filed with the Building Inspector, who is the Town Board's designated person to inspect buildings and issue permits.

The Town of Waterford contains nine zoning districts:

- R-75 Residence District
- R-100 Residence District
- R-Rural Residential District
- C-1 Commercial District
- C-2 Commercial District
- C-3 Commercial District
- M-1 Manufacturing District

¹⁶Additional zoning review and recommendations will be set forth in a technical memorandum.

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- M-2 Industrial District
- L-C Land Conservation District

It should be noted that although the zoning ordinance includes these nine districts, only eight use districts are shown on the [Town's most current zoning map](#), which was revised in 2003. Neither the current zoning ordinance nor the current zoning map show, or otherwise describe, the boundaries of the Rural Residential District.

Residential Districts

R-75 Residence District: There are no specific use regulations for this district. Uses are regulated under general district use regulations articulated in Article II, §161-11, with further provisions in Articles III and V. **Permitted uses** include farms; one-family dwellings; churches or other places of worship; dentist and other professional offices; public or private accredited schools; public parks, playgrounds and outdoor recreation areas; federal, state or municipal public buildings or uses; home occupations; antique sales where accessory to a residence; identification signs or nameplates regulated in Article V; and accessory uses or structures. **Special Permit Uses** include two-family dwellings; multifamily dwellings; public utility buildings or uses; convalescent or nursing homes; nursery schools; physicians or surgeon's offices; funeral homes; cider plants, cold storage or agricultural processing plants not incidental to permitted principal uses. **Prohibited Uses** include custody of poultry or livestock, except common pets.

The minimum lot size requirement for the R-75 district is 11,250 square feet for a single family home and for non-residential uses, and 10,000 square foot base plus an additional 10,000 square feet per dwelling unit for two-family and multi-family structures. There are non-residential exceptions: farms, which have a minimum lot size of 5 acres, and churches and convents, which have minimum lot sizes of 40,000 square feet. The setback specifications are a minimum of 40 feet for single family homes and non-residential uses, and 50 feet for two and multi-family homes. The height of buildings is restricted to 50 feet for all uses in this district. Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

These use regulations form a basis for regulation of all residential uses. Residential use districts are also subject to regulations set forth in Article III (Area, Height and Bulk Requirements) and Article V (Supplementary Regulations). Each of the other residential districts has additional specific regulations as follows:

R-100 Residential District: [See uses in R-75 above]. District use regulations for the R-100 districts are delineated in Article II, §161-12 and reflect amendments made in 1984.

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Permitted Uses are the same as those listed under R-75 above. **Special Permits** are required for private recreation areas or use of land involving archery target practice; pitch and putt areas; mobile home parks; and individual mobile homes.

The minimum lot size requirement for the R-100 district is 15,000 square feet for a single family home and for non-residential uses; a 10,000 square foot base plus 10,000 additional square feet for each dwelling unit within a two-family and multi-family structure; 250,000 square feet for mobile home parks; and 15,000 square feet for individual mobile homes. There are non-residential exceptions: farms, which have a minimum lot size of 5 acres, and churches and convents, which have minimum lot sizes of 40,000 SF. The setback specifications are a minimum of 40 feet for single family homes and non-residential uses, and 50 feet for two-family and multi-family homes. The height of buildings is restricted to 50 feet for all uses in this district. Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

R **Rural Residential District:** [Added 11-29-1990 by resolution, see also uses in R-75 district above]. District use regulations for the R district are included in Article II, §161-12.1. **Permitted uses** include farms, including commercial wood lots or reforestation areas, as regulated in Article V; one-family dwellings; public parks, playgrounds and outdoor recreation areas operated by membership for the benefit of their members (not for gain); and accessory uses or structures customarily incidental to a permitted use including private garages, private swimming pools or ponds, toolhouses or storage sheds, greenhouses, barns and silos. **Special permits** are required for cemeteries; golf courses and accessory structures; home occupations; antique sales, where accessory to a residence; private recreation areas; water impoundment for recreation and storage; churches and similar uses; and Federal, state or municipal buildings or uses, or essential service buildings. **Prohibited uses** include mobile home parks, individual mobile homes, multifamily dwellings, custody of poultry or livestock (except on farms), and any uses permitted in any commercial, manufacturing or industrial district.

The lot size, setback, and height requirements for this district are two acre minimum lot sizes, 40 foot setbacks, and 50 feet for a single family homes and the other permitted uses and the permitted special uses. Farms have a minimum lot size of 10 acres with 40 foot setbacks for main residences and 50 foot setbacks for accessory buildings, and height restrictions of 50 feet. Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

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Commercial Districts

C - 1 Commercial District: District use regulations for the C-1 district are set forth in Article II, §161-13. **Permitted uses** include uses permitted in residence districts; retail stores; banks or savings or loan institutions; restaurants or other places for serving food and beverages; motels or hotels; personal service shops (barber, beauty parlor, tailor or shoe repair); automatic or coin-operated laundries or dry cleaners or pickup stations; social, recreational or fraternal clubs or lodges; business or professional offices; public utility buildings or uses; business signs as regulated in Article V of the zoning ordinance; and accessory buildings and uses incidental to a permitted principal use. **Special permits** are required for drive-in service establishments (except outdoor theaters); filling stations; and custody of poultry and livestock.

All uses that are permitted residence district uses have the same lot size, height and setback requirements in a C-1 district as they do in an R-75 district. All other permitted uses in a C-1 district have the same area, height, and bulk requirements as required of non-single family homes in R-100 districts with the exception of side yards which shall be 20 feet, and rear yards which must be 30 feet¹⁷. Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

C - 2 Commercial District: District use regulations for the C-2 district are set forth in Article II, §161-14. **Permitted uses** include restaurants or other places serving food and beverages; motels or hotels; public utility buildings or uses; drive-in service establishments (except outdoor theaters); public garages, filling stations and automotive repair; commercial recreation (excluding outdoor theaters); business signs as regulated in Article V of the zoning ordinance; accessory uses customarily incidental to a permitted principal use. **Special permits** are required for custody of poultry and livestock (except common household pets); and mobile home parks subject to the provisions of the Town of Waterford House Trailer Ordinances, as amended.

All permitted uses in a C-2 district have the same area, height, and bulk requirements as required of non-single family homes in R-100 districts with the exception of side yards which shall be 20 feet, and rear yards which must be 30 feet. Mobile home parks are a special permitted use and have minimum lot size requirements of 250,000 square feet, 30 foot setbacks and side yards minimums of 10 feet for one, and 25 feet for both.

¹⁷ Section 161.19.2 of the Zoning Ordinance defines these requirements by citing a non-existing section 161.19. Furthermore, it does not stipulate which R-100 requirements apply.

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Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

C - 3 Commercial District: [Added 2-27-1997 by L.L. No. 4-1997] District use regulations for the C-3 district are articulated in Article II, §161-14.1. **Permitted uses** include uses permitted in residence districts; banks or savings or loan institutions; personal service shops (barber, beauty parlor, tailor or shoe repair); social, recreational or fraternal clubs or lodges; business or professional offices; public utility buildings or uses; business signs as regulated in Article V of the zoning ordinance; accessory buildings and uses incidental to a permitted use; service enterprises engaged in the incidental retail sale of goods or products associated with the operation in which sales revenues do not exceed 50% of gross annual revenues. No uses are allowed by **Special Permit**. **Prohibited Uses** include filling stations; restaurants or other places for serving food and beverages; motels or hotels; automotive or coin-operated laundries or dry cleaners or pick-up stations; retail stores; and convenience stores. The C-3 district regulations also include a number of **Other Requirements** for all uses in the district. These requirements are apparently designed to ensure that new uses are compatible with existing uses and the overall character of the area within the C-3 district, and include the following guidelines:

- ▶ Existing structures may not be altered to the extent that they conflict with the residential character of the area;
- ▶ New structures must be developed to reflect the residential character of the area. Structures must be compatible with the scale and appearance of other residential structures.
- ▶ The Planning Board shall review compliance with the requirements of this section under site plan review.

Additionally, although not specified in Article II, commercial uses are also subject to area, height and bulk requirements as stipulated in Article III, §161-19.2, §161-20, §161-21, §161-21.1, and §161-22. All uses that are permitted residence district uses have the same lot size, height and setback requirements in a C-3 District as they did in a R-75 district. All other permitted uses in a C-3 district have the same area, height, and bulk requirements as required of non-single family homes in R-100 Districts with the exception of a maximum building height and minimum setbacks of 30 feet each; side yards shall be 20 feet; and rear yards 30 feet. Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

Manufacturing/Industrial Districts

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M - 1 Manufacturing District: District use regulations for the M-1 district are set forth in Article II, §161-15. **Permitted uses** include truck terminals or places for the storage or maintenance of vehicles or trailers used in long-distance freight hauling; laboratories, research, experimental or testing, provided that no operations are conducted that cause hazardous, noxious or offensive conditions in the district in which such laboratory is located; the manufacture, compounding, assembling, fabricating or treatment of articles or merchandise from previously prepared materials such as fiber, fur, glass, leather, paper, plastics, precious or semiprecious stones or metals, sheet metal not thicker than 18 gauge, textiles, tobacco, wax, wire wood or silicones; warehouse or storage facilities, excluding crude oil, petroleum or natural gas storage tanks; agricultural product packaging, processing or storage facilities (except as prohibited below); tool or die manufacture, including precision instrument; business or advertising signs as regulated under Article V; any use equivalent to the above and that will not produce hazards, noxious odors, dust, smoke, cinders, fumes, gas, noise, vibration, refuse matter or water carried waste. No uses are allowed by **Special Permit**. **Prohibited Uses** include the rendering of grease, tallow or fats; manufacture of alcohol or dye; manufacture of corrosive acid or alkali; manufacture of cement, lime, gypsum, plaster of paris or abrasives; manufacture of fertilizer, glue or size involving the recovery or refining of products from fish or animal refuse; manufacture of fireworks, munitions or explosives; production or refining of petroleum or other flammable liquids; stockyards or slaughterhouses; auto wrecking, including junkyards; or any similar use.

All permitted and special permit uses in the M-1 District have the same area, height, and bulk requirements as required of non-single family homes in R-100 districts with the exception of a maximum building height of 50 feet, and minimum setbacks of 40 feet, side yards of 20 feet, and rear yards of 30 feet. Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

M - 2 Industrial District: Land use regulations for the M-2 district are articulated in Article II, §161-17 of the zoning ordinance. **Permitted Uses** include laboratories, research, experimental or testing, provided that no operation shall be conducted which may cause hazardous, noxious or offensive conditions; manufacture, compounding, assembling, fabricating, or treatment of articles or merchandise from the following previously prepared materials such as fiber, fur, glass, leather, paper, plastics, precious or semiprecious stones or metals, sheet metal not thicker than 18 gauge, textiles, tobacco, wax, wire wood or silicones; warehouse or storage facilities, excluding crude oil, petroleum or natural gas storage tanks; agricultural product packaging, processing or storage facilities (except as prohibited below); tool or die manufacture, including precision instrument; business or advertising signs as regulated under Article V; any use equivalent to the above and that will not produce hazards, noxious odors, dust, smoke,

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cinders, fumes, gas, noise, vibration, refuse matter or water carried waste. No uses are allowed by **Special Permit**. **Prohibited Uses** include the rendering of grease, tallow or fats; manufacture of alcohol or dye; manufacture of corrosive acid or alkali; manufacture of cement, lime, gypsum, plaster of paris or abrasives; manufacture of fertilizer, glue or size involving the recovery or refining of products from fish or animal refuse; manufacture of fireworks, munitions or explosives; production or refining of petroleum or other flammable liquids; stockyards or slaughterhouses; auto wrecking, including junkyards; or any similar use.

All permitted uses in a M-2 district have the same area, height, and bulk requirements as required of non-single family homes in R-100 districts with the exception of a maximum building height of 50 feet, and minimum setbacks of 40 feet, side yards of 20 feet, and rear yards of 30 feet. Additional supplemental regulations are outlined in Article V that pertains to specific structure and lot size situations.

NOTE: M-1 and M-2 uses are exactly the same except that trucking uses are allowed in M-1.

Conservation Districts

LC **Land Conservation District**: District use regulations for the LC district are set forth in Article II, §161-16. The purpose of such districts is to “include those areas where substantial development of the land in the way of buildings or structures is not desirable because of:

- ▶ special or unusual conditions of topography, drainage, floodplain or other natural conditions, whereby considerable damage to buildings or structures and possible losses of life may occur due to the process of nature, or the lack of proper public facilities or improvements results in land not being suitable for development at the present time, and where such facilities or improvements must be undertaken on an area-wide rather than individual-parcel basis in order to serve adequately at a reasonable cost to the Town of Waterford.
- ▶ Land which has characteristics that are nonurban in their development, such as cemeteries and lands in the Barge Canal System.

Permitted Uses include farms or other agricultural operations, including woodland and reforestation areas, nurseries, greenhouses and usual farm accessory buildings, not including dwellings or buildings housing farm animals or fowl; parks, playgrounds, athletic fields, golf courses, riding academies, game preserves and other similar uses,

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including usual accessory buildings; municipal or public utility buildings or structures; cemeteries; New York State Barge Canal uses. No uses are allowed by **Special Permit**.

Large-Scale Planned Development Districts (R-P, C-P, M-P)

Large-Scale residential, commercial, or industrial subdivisions, parks or estates may be permitted as planned developments pursuant to §161-32. These districts may not be less than 10 acres for a residential development (R-P), three acres for a commercial development (C-P), or ten acres for an manufacturing/industrial development (M-P). Applications for a Planned Development must be made with the Town Board and is required to consider the protection of “established or permitted uses in the vicinity and to promote an protect the orderly growth and sound development of the municipality. A public hearing on the proposal is required. There are area, height and bulk regulations for large scale planned developments based on the type of district.

Riverbend Planned Residential District (Article X)

This district may not have more than 337 residential units to be constructed in three phases. Phase One has 16 single-family units and 32 town homes. Phase two has 195 town homes, and Phase Three has 58 single family units and 36 town homes. Other regulations include open space dedication requirements and prohibition to store vehicles on property for more than two days. Pools and sheds are permitted if they meet specific requirements. Fences are only permitted if they are made of wood, stone, concrete or brick.

Subdivision Regulations (Chapter A166) (Amended 1994)

Applications for subdivisions are made with the Town Planning Board who may approve or disapprove a minor or major subdivision. A “minor subdivision” is a subdivision of no more than four lots on existing streets using existing municipal facilities that does not conflict with the Zoning Ordinance or Master Plan. A “major subdivision” is one that has five or more lots or requires any new street or extension of municipal facilities.

A Sketch Plan, public hearing and Minor Subdivision Plat are required for a minor subdivision. A sketch plan, preliminary plat, final plat and public hearing are required for a Major Subdivision. A major subdivision must conform to the design standards of the Town’s Master Plan and Zoning Ordinance. A Major Subdivision must comply with other requirements such as the dedication of recreational space.

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Non-Conforming Uses (Article IV)

Non-conforming uses may continue, however, the land use may not be enlarged, extended or changed to another non-conforming use. Non-conforming uses of buildings may not be changed unless required by law or to maintain the condition of the buildings. Furthermore, if a use is suspended for 12 consecutive months, it shall not be renewed and subsequent uses must conform.

Greenspace Requirements (§161-29.1)

In all commercial and manufacturing districts 35% of the lot must be intended for open space preservation, recreation (active or passive), landscaping or parkland. Unless otherwise stated by the Planning or Town Board, the greenspace shall be undisturbed, seeded and planted with appropriate materials or left in its natural state. It will not contain buildings or structures other than fences and shall not be used for the parking of vehicles (§161-3 (C)).

Parking (§161-30)

Off-street parking is required for all newly constructed or newly used buildings. Each space shall be at least 170 SF and eight feet long. An "Off-Street Parking Schedule" has been established by the Town in Subsection D of §161-30. If a use is not mentioned in the schedule, parking requirements will be established by the Town Planning Board on a case-by-case basis. In addition, at least one loading facility must be provided for each commercial or manufacturing establishment.

Signage (§161-31)

General sign regulations require that signs be maintained, and must refrain from: illuminating onto streets or adjacent properties, projecting more than four feet beyond property lines or higher than the top of the building. Signs are permitted in all districts although there are differing regulations.

Zoning District Classifications by Sub-Area

Hudson River Road Sub-Area

Although there are a number of zoning districts in this sub-area, M-1 manufacturing districts predominate, reflecting the operations of Momentive, American Tissue, Golub Corporation and other industrial uses. However, a C-1 Commercial District is roughly located on the east side of Hudson River Road between Bells Lane and Industrial Drive, and extends 400' east of Hudson

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River Road's centerline. M-1 Manufacturing and L-C Land Conservation districts are located to the east of this area.

The land conservation district covers an area extending 1000' inland (west) of the Hudson River's centerline. Land conservation districts also exist at the northern and southern portions of the old Champlain Canal. Portions of these districts lie within the Middletown/Fonda Road sub-area and are discussed below. Along the southern section of the extant canal the land conservation district extends 200' east of the canal centerline.

Other districts include a M-2 Industrial District directly south of Industrial Drive and small R-100 Residential Districts at the extreme northern and southern ends of the sub-area.

Upper Mohawk/North Waterford Flight Sub-Area

This sub-area is dominated by R-100 residential districts, reflecting the prevalence of single family residential developments along and adjacent to Middletown and Fonda Roads. Exceptions include a large M-1 Manufacturing District in the northeast corner of this sub-area. This district is buffered on its east side from the Champlain Canal by a 400' land conservation district, with a buffer of varying depths along the western and southern edges of the district. Large land conservation districts also exist between Roberts Road and Lea Avenue on the east side of Middletown Road, as well as a large area to the west of Middletown Road. These areas correspond generally to existing schools, public and private cemeteries and recreational playing fields. Land conservation areas of varying depth (generally 200' to 500') also exist along the entire Mohawk River shoreline and Waterford Flight shoreline, reflecting New York State-owned lands. An R-75 Residence District encompasses the Timber Drive neighborhood.

The land conservation buffer is very narrow along the eastern section of Waterford Flight Road and may need to be broadened to provide adequate protection of the canal corridor with regard to potential future development. Inappropriate development in this area would severely damage the canal viewshed.

Saratoga Avenue/Northside Historic District

This sub-area includes four district classifications (M-1, L-C, R-75, and C-1). M-1 Manufacturing districts exist at the northern end of the sub-area between the Village's southern boundary and Burton Avenue, reflecting the existence of Ursula of Switzerland and the wastewater treatment plant. A second M-1 district is located in the middle of this sub-area, encompassing the Mohawk Paper complex.

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Land conservation districts surround the manufacturing districts to the east of the Champlain Canal and include the “point” area (proposed hotel site), the east side of Saratoga Avenue between the manufacturing districts, and the east side of Saratoga Avenue between Mohawk Avenue and the Town’s southern border.

R-75 and C-1 districts predominate along Saratoga Avenue itself. The commercial districts are situated between Kings Avenue and Van Ness Street (both sides of Saratoga Avenue) and to the south of Fulton Street (both side of Saratoga Avenue). The residential districts encompass the remaining land area.

The Mohawk River shoreline in this area includes both manufacturing and land conservation districts, reflecting the presence of the Mohawk Paper complex.

Lower Mohawk/South Waterford Flight Sub-Area

Like the Upper Mohawk/North Waterford Flight sub-area, the inland portions of this sub-area are dominated by R-75 and R-100 residence districts. Generally speaking, R-75 districts encompass the older residential areas between Saratoga and Vanderwerken Avenues and along Van Ness Avenue. The R-100 district generally includes the areas between Vanderwerken and Mountainview Avenue, although a very small land conservation district reflects the existence of Sugar Loaf Pond. A land conservation district ranging from depths of 50' to 500' exists along the Waterford Flight and its intersection with the Mohawk River. A land conservation district is also located east of the Niagara Mohawk power transmission line right-of-way, encompassing the Waterford Rural Cemetery and NYS-owned canal land.

There is no land conservation buffer or other protection for the Mohawk River shoreline, one of the region’s most important viewshed and natural resource areas. While this is most likely reflects private land ownership in this area, the Town’s zoning ordinance should provide better protection for this unique and valuable area. To effectively protect the viewshed and allow for future trail development, it may be necessary for the Town to work with property owners to acquire easements or to establish other protective mechanisms.

Five Islands Sub-Area

This sub-area is dominated by land conservation districts. These districts encompass Polrump, Bock, Goat, and Second Islands, as well as three-quarters of Peebles Island. Only the northern third of Peebles Island, which was designated as an M-1 manufacturing district, was outside the land conservation district. This reflects the historic manufacturing uses associated with the Cluett-Peabody Bleach Works. The Cluett-Peabody Bleach Works are now used as offices and laboratory space by the New York State Office of Parks, Recreation and Historic Preservation.

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Recent improvements to Peebles Island State Park in this portion of the island have included additional paved parking areas and a picnic pavilion. The North Island Bridge has been repaired and was returned to service in 2003. Reflecting the mission of NYSOPRHP to protect and preserve natural and historic resources, this area was rezoned as a land conservation district in 2008.

VILLAGE OF WATERFORD

General

The current Village of Waterford Zoning Ordinance was adopted in 1965 and has been amended numerous times through the adoption of local laws. The Zoning Ordinance was recodified in 2001 as part of a recodification of the Village Code and is Chapter 205 of the Code of the Village of Waterford. The purpose of the Village of Waterford's zoning ordinance is articulated in Article I, General Provisions. The Village has a five member Zoning Board of Appeals (Article VII) and a five member Planning Board (Chapter 44 of the Village Code). The Board of Appeals decides on appeals and grants variances and special use permits. The Planning Board's powers and duties include, but are not limited to: preparing and revising the Village Comprehensive Plan; adopting and reviewing subdivision regulations and reviewing subdivision applications; and reviewing site plan applications.

The provisions of the Village Zoning Law are administered and enforced by a Zoning Inspector as designated by the Village Board (Article VI Administration and Enforcement). Building Permits and Certificates of Occupancy are required and must be approved by the Zoning Inspector. The Village zoning ordinance regulates nonconforming uses and buildings (Article IV of Chapter 205) and provides terminology definitions for the zoning ordinance in Article X. All other sections are reviewed below.

Zoning Districts (Article III)

As originally adopted, the Zoning Law contained three districts, one residential district, one commercial district, and one manufacturing district. The districts have been amended over time. The Village currently contains a total of five zoning districts: 1) Residence District; 2) Residence S District; 3) Residence M District; 4) Commercial District; and Senior Citizen Housing District. Article III defines the uses permitted and prohibited in each district and provides lot and development standards for all uses in §205-18.

Residence District (§205-13)

Permitted Uses include one-, two- and multi-family dwellings; churches and similar places of worship, parish house, rectory or convent; NYS-accredited public or private schools; federal, state or municipal public building or use; public park or playground; places of business of

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physicians, dentists, attorneys and undertakers; private club or lodge, except those of which the chief activity is customarily carried on as a business; identification sign or nameplates regulated in Article V of the zoning ordinance; and accessory use or structure customarily incidental to a permitted principal use including private garage, private swimming pool or pond, tool house or storage shed, greenhouse, etc. **Special permit uses** include private nursery school, hospital, rooming and boarding house, tourist homes; and parking lots. **Prohibited uses** include animals such as poultry or livestock and exotic animals but excluding common households pets.

Residence S District (§205-14)

Permitted Uses include all permitted uses described in the Residence District (§205-13) plus multi-family dwellings of not more than fifty (50) units in all for use and occupancy solely as subsidized, nonprofit housing for Senior Citizens and handicapped persons. No **Special Permit Uses** are described. **Prohibited uses** include animals such as poultry or livestock and exotic animals but excluding common households pets.

Residence M District (§205-15 as added in 1983 incorporating former manufacturing district Northeast Corner of Village)

Permitted Uses include all those uses originally allowed by right under the Residence District (§205-13). **Special Permit Uses** include retail store, business or professional office; restaurant or other place serving food and beverages; personal service shop such as barber, beauty parlor; tailor or shoe repair; social, recreational or fraternal club or lodge; commercial recreation; automatic or coin-operated laundry or dry cleaner; a planned unit development including multi-family housing of more than four units; and specific manufacturing uses that do not result in any of a wide range of harmful situations. **Performance Standards** related to noise, odor and other nuisances, hazardous fire and explosions, radio or television interference, hazardous materials and traffic impacts are included for manufacturing and industrial uses permitted in the Residence M District. Further, the siting of radio or television towers or radar screens requires Zoning Board Approval prior to being erected. **Signage** regulations are provided for all commercial signs within this district.

Senior Citizen Housing District (§205-16)

This district is a planned development district that has been established to permit senior housing developments, including multiple housing units, in the Village. Applications for this district are approved by either the Village Planning Board. The purpose of any proposed senior housing district must comply with and conform substantially to the Town and Village of Waterford Comprehensive Plan. **Permitted uses** include the construction and maintenance of one eight-unit and one-four unit residence in accordance with §205-16. There are no **special permit uses**.

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Commercial District (§205-17)

Permitted Uses include retail store, business or professional office, bank or studio; theater or motion picture house; restaurant or other place serving food and beverages; cocktail lounge; printing office; newspaper office; bowling alley; personal service shop such as barber, beauty parlor, tailor or shoe repair; automatic or coin-operated laundry or dry cleaner or pick-up station; social, recreational or fraternal club or lodge; business sign as regulated in Article V, Section 205-27 of the zoning ordinance; and accessory building or use incidental to a permitted principal use. **Special permit uses** include assembly or dance hall; public garage, filling station and automotive repair; and commercial recreation. **Prohibited uses** include animals such as poultry or livestock and exotic animals but excluding common households pets.

Area, frontage, bulk height and setback requirements (§205-18)

Lot characteristics, including area, frontage, bulk, height and setback requirements, for all uses are included in this section. Front and rear setbacks are 10 feet for all uses in all districts, side yard setbacks are 10 or 20 feet both yards depending upon the use. All other lot characteristics vary based on use and are described below.

Residential districts: The minimum lot area for all one and two-family dwellings, parish houses, rectories and convents is 4,000 square feet (sf). For all other uses permitted in a Residence and Residence S district and residential uses in the Residence M District, the minimum lot area is 6,000 sf. The maximum building coverage in all residential districts is 50%. The minimum floor area is 800 sf except for multi-family dwellings (2,400 sf) and churches and schools which have no minimum. The maximum building height in all residential districts is 50 feet.

Commercial District: There is no minimum lot size or frontage and no maximum building coverage. There is a minimum floor area of 800 square feet for all uses permitted in the commercial district except for public garages, filling stations and auto repair shops. The maximum building height is 50 feet for all uses except for public garages, filling stations and auto repair shops which have a 30 foot height maximum.

Residence M District: All manufacturing and industrial uses permitted in the Residence M district but not permitted elsewhere have a minimum lot area of 6,000 square feet, a maximum building coverage of 80%, a minimum floor are of 800 square feet, building height of 50 feet.

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Supplemental Regulations (Article V)

Supplemental Regulations include additional area regulations and height requirements, the regulation of accessory buildings, fencing, shrubs, hedges and other natural fences, off-street parking and loading, and signs.

Laws Enacted to Protect Historic Resources (Chapter 128 of the Village Code)

With the adoption of Local Law No. 2 of 1985 (Chapter 128 of the Code of the Village of Waterford), the Village established a local historic district that generally conforms with the boundaries of the Waterford Village Historic District as listed in the National Register of Historic Places. Additional information on this district and the related review standards adopted under Local Law No. 1 of 1986 can be found above in the historic resources section of this document. Essentially, these laws require property owners to obtain a certificate of appropriateness from the zoning board of appeals before commencing work on a building within the local historic district; place strict constraints on building demolition in the district; and establish review standards for all proposed work. The review standards are similar to the Secretary of Interior's Standard for Building Rehabilitation, and are designed to protect the architectural integrity of historic buildings, as well as the overall character of the village's historic neighborhoods.

Zoning District Classifications by Sub-Area

Northern Village Sub-Area

This diverse sub-area includes residential, residence M, and commercial districts.

Broad Street Commercial Sub-Area

This sub-area includes commercial and residence districts.

Battery Sub-Area

This sub-area includes the residence district, delineated in the zoning ordinance.

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O. KEY WATERFRONT ISSUES

Given their location at the confluence of the Hudson and Mohawk Rivers and the Erie and Champlain Canals, the Town and Village of Waterford are uniquely positioned among New York State communities to capitalize on waterfront revitalization. Critical issues include:

- Strengthening the linkage between the Broad Street commercial corridor (Waterford's downtown) and the waterfront.
- Protecting unique and scenic viewsheds such as the Mohawk River shoreline (especially Cohoes Falls area), the Waterford Flight and Peebles Island. Because considerable amounts of land adjacent to these areas are in private ownership, they are extremely vulnerable to degradation from incompatible or unsympathetic development.
- Mitigating and, to the extent possible, preventing seasonal flooding, or otherwise minimizing its impact on surrounding neighborhoods.
- Enhancing older and historic buildings and streetscapes in the town and village, particularly the Broad Street corridor, streets linking the downtown commercial area to the waterfront, Saratoga Avenue, and the Waterford Village Historic District.
- Improving key gateways into the town and village, particularly the eastern end of Broad Street (entrance from Lansingburgh/Troy), the southern end of Saratoga Avenue (entrance from Cohoes), and the northern ends of Second and Third Streets.
- Continuing improvement of Town, Village and State-owned parks, boat launches and marinas, particularly Knickerbocker and Soldiers' and Sailors' Park (which represent the Village's eastern gateway and have great potential in terms of boater access to downtown) and the former Alcathy's Marina (now NYS Boat Launch) area.
- Expanding the interpretation and promotion of the Town's and Village's numerous historic, cultural, and recreational assets.
- Continuing to work with state agencies and appropriate others to mitigate environmental issues that may exist at the former Friedrichson's Cooperage site.

Working with Waterford Historical Museum staff and volunteers to continue making improvements to the museum and its interpretive programming and signage. The Museum needs to be more strongly linked to other heritage tourism and recreational amenities throughout the town, village and region.

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- Continuing to implement projects identified under the U.S. Department of Housing and Urban Development's Canal Corridor Initiative, particularly the implementation of the Inn and Restaurant at the Point concept. Financial incentives and technical assistance are available.
- Improving the Broad Street commercial district by strengthening existing businesses and working with other appropriate agencies to attract new businesses to vacant storefronts.

Section III LWRP Policies

Town & Village of Waterford Local Waterfront Revitalization Program

Section III LWRP Policies

The Waterfront Revitalization of Coastal Areas and Inland Waterways Act establishes public policies for the State's coastal areas and inland waterways. These policies are general statements established to address changes occurring in New York State's diverse inland waterways and waterfront areas. A major purpose of this Local Waterfront Revitalization Program (LWRP) is to specify how these broad statewide policies will apply to the Town and Village of Waterford.

The underlying principal of these policies is that the waterfront, its historic and natural resource areas are valuable, irreplaceable and limited resources that will be protected and enhanced and appropriately used. It means that priority will be given to new development or uses that rely or capitalize on a waterfront location or otherwise enhance the region's tourism and economic development goals for the canal corridor. It also means ensuring that new development also reflects and maintains the positive and distinguishing characteristics of the surrounding neighborhoods and that opportunities for public access to and enjoyment of the waterfront be provided to the maximum extent feasible.

The following paragraphs examine applicable State policies with regard to conditions, problems, and opportunities associated with the waterfront areas in the Town and Village of Waterford.

GENERAL POLICY

Policy 1. Foster a pattern of development in the waterfront revitalization area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.

The vitality of waterfront communities is a critical component of the character of New York's waterfront areas. Focusing investment to sustain these communities as centers of activity enhances their vitality and protects the remaining open landscape that provides ecological and scenic value.

The waterfront areas of the Town and Village of Waterford include a wide variety of land uses, natural resources, cultural and historic resources, and recreational facilities and opportunities.

The Village of Waterford is a small, compact, densely-built, and well-defined area. With the exception of the Broad Street commercial district, the village is nearly all residential.

However, parks, trails, and community uses such as government buildings, schools, churches, community centers and fire departments are scattered throughout the

Section III LWRP Policies

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neighborhoods, particularly in the northern portion of the village. Shoreline areas along the Hudson and Mohawk rivers and Erie and Champlain canals include recreational and residential uses and have recently benefited from numerous improvements, including the completion of a visitor welcome center, a waterfront promenade, and several small street-end parks along the canal, all of which are located along the canal in the area known as the waterfront promenade.

The Town of Waterford is less well-defined. Like the Village, the Town is predominantly residential, with the exception of the Route 4/32 corridor and portions of Saratoga Avenue. Nearly all industrial uses, and a limited number of commercial establishments, are located along the Route 4/32 corridor (Hudson River Road). Ursula of Switzerland, which occupies the former Ormsby-Laughlin Textile Mill, is located along the Mohawk River in the Northside/Saratoga sub-area. Most commercial uses are located at the southern end of Saratoga Avenue or along Route 4/32 (Hudson River Road). Shoreline areas of the Hudson and Mohawk Rivers and Erie and Champlain Canals are predominantly in residential or recreational use, with concentrations of summer camp residences scattered along the Hudson and Mohawk River shorelines.

Development within the Town and Village of Waterford is constrained by a number of environmental factors including floodplain areas, steep slopes and wetlands. Shoreline areas in several locations are protected as land conservation districts under Town and Village zoning ordinances. The majority of the land between the old Champlain Canal and the Hudson and Mohawk Rivers lies within the 100-year flood plain, with small areas just beyond the 100-year boundary lying within the 500-year flood plain. Small, isolated areas within the 100-year flood plain boundary are also designated 500-year flood zones. The largest of these areas exists on the eastern edge of the Champlain Canal within the Village, and around the northeast and eastern edges of Peebles Island.

Steep slopes preclude most development in many areas of the Town, although some of these areas, particularly along the Mohawk River in the Upper Mohawk sub-area, have begun to be developed for residential use. Within the waterfront revitalization area, steep slopes are concentrated in the southwestern section of the Hudson River Road sub-area and the Lower Mohawk/South Waterford Flight sub-area.

Wetland areas are located exclusively in the Hudson River Road sub-area to the north of the Village's northern boundary. One wetland area is located between the Champlain Canal and the Conrail right-of-way, another wetland area is located between the railroad right-of-way and Hudson River Road, and a third wetland area is located between Hudson River Road and the Hudson River shoreline.

Both the Town and the Village have numerous parks and recreational amenities such as trails. Both municipalities hope to expand these facilities in the future, particularly in shoreline areas.

Town & Village of Waterford Local Waterfront Revitalization Program

The following policy standards apply to the Town and Village of Waterford with respect to Policy 1.

1.1 Maintain and enhance natural areas, recreation and open space.

Natural areas, open space, and recreational land produce public benefits that may not be immediately tangible. In addition to scenic and recreational benefits, these lands may also support habitat for commercially or ecologically important fish and wildlife, provide watershed management of flood control benefits, serve to recharge ground water, and maintain links to a region's agricultural heritage.

As noted above, the shoreline areas of the Town and Village of Waterford include a number of environmentally sensitive features, including wetlands, flood prone areas, and steep slopes. Shoreline areas also include numerous recreation, water-dependent, and water-enhanced uses, including the waterfront promenade, boat launch, street-end parks and seasonal floating docks along the Erie Canal in the Village; NYS boat launch (Alcathy's); the Waterford Flight; Clement Park; Soldiers and Sailors and Knickerbacker parks; Fourth Street Park, and Garrett Field. The areas above, below, and adjacent to the Cohoes Falls along the Mohawk River shoreline are important open space areas with spectacular scenic views. These areas will be protected, enhanced through creation of additional public access points, and developed with caution, preserving public access opportunities and scenic qualities of this area. This is particularly true in the area beyond Mountainview Avenue and Catallo Drive, which is generally bounded by the Mohawk River, Erie Canal and the developed portion of the Town.

Environmentally sensitive shoreline areas (see [wetland areas](#) and [floodplains](#) maps) will not be destroyed or damaged by major commercial or industrial development. Existing water-dependent and enhanced uses, including the NYS Boat Launch (former Alcathy's); Erie Canal Locks 2-6 (including power house building and open space); Waterford Flight shoreline areas; the five Mohawk River islands; and existing and future waterfront trail segments, will be improved and enhanced.

Vacant parcels outside environmentally sensitive areas in the Hudson River Road sub-area will be considered appropriate for additional industrial and commercial development. Many parcels outside of environmentally sensitive areas are occupied by residential, commercial and industrial uses, and General Electric (now Momentive) has bought much of the vacant land in the Hudson River Road sub-area (see [existing land use](#) map). New uses in shoreline areas will be appropriately screened and buffered from public view, with areas of natural vegetation retained. In addition, the Town and Village will encourage the introduction of screening and buffering as part of changes in use or redevelopment in waterfront revitalization areas.

To the greatest extent feasible, shoreline areas of the Hudson River, Mohawk River, Erie

Town & Village of Waterford Local Waterfront Revitalization Program

Canal and Champlain Canal will continue to be developed for public access and enjoyment via trail development and development and improvement of recreational facilities that will not degrade the natural environment or detract from water-dependent uses. Additionally, new development in shoreline areas will be encouraged during building permit and site plan review processes to incorporate opportunities for public access to waterfront areas and continuation and maintenance of waterfront trail segments to the greatest extent feasible.

1.2 Concentrate development and redevelopment in or adjacent to the Village as well as portions of the Town that have already been developed.

The Town and Village of Waterford will provide a variety of housing opportunities; commercial, service and cultural activities; and industrial uses. To the extent feasible, new development will be located where infrastructure already exists or can be economically upgraded to accommodate new development.

The Route 4/32 (Hudson River Road) corridor and the southern section of Saratoga Avenue are areas within the Town of Waterford that already contain a variety of land uses and commercial and industrial facilities. The majority of commercial uses in the Village of Waterford are located along Broad Street and portions of Third and Fourth Streets. All development that does not directly support, maintain or complement water uses and waterfront revitalization efforts will be restricted to and encouraged in these existing commercial areas to the maximum extent feasible. New residential uses will be restricted to areas where development already exists (or where approvals for additional development have already been granted), or will be restricted to housing rehabilitation and upper floor residential uses in downtown commercial buildings.

If new residential uses are proposed within the LWRP's designated waterfront revitalization area, the following guidelines will apply:

- ▶ A public right-of-way shall be maintained between the canal or river shoreline and the residential property line to allow for continued visual and physical public access. The width of the right-of-way shall correspond to existing land conservation district boundaries established in Town and Village of Waterford Zoning Ordinances. In areas where such boundaries have not been established, Town and Village Planning boards shall use their discretion, using similar areas elsewhere in Waterford as a guide. Guidelines set forth in Policy 2 below shall also apply.
- ▶ Residential uses shall be clustered to maximize the use and enjoyment of open space.

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1.3 Restrict land uses along the shorelines of the waterfront area to uses that are water dependent or water-enhanced.

With the exception of land on the north side of the Waterford Flight; land between the Mohawk River, Mountainview Avenue, and the Waterford Flight; and Peebles and the other islands, most shorelines areas in the Town and Village of Waterford have already been developed. The area most vulnerable to new development is located along the Mohawk River above and below the Cohoes Falls. If development occurs in these undeveloped or minimally developed waterfront areas in the future, preference will be given to water-dependent or water-enhanced uses where appropriate, and other related uses that rely, depend on, or can capitalize on a waterfront location.

1.4 Encourage commercial redevelopment in identified business district areas.

The Village of Waterford's commercial district is concentrated along and immediately north and south of Broad Street. Although numerous improvements have been completed in the last few years, this relatively small, compact and somewhat struggling business district is in need of revitalization, redevelopment and improvement. Recent improvements have included the installation of antique lighting along portions of Broad Street including Knickerbacker and Soldiers & Sailors Park, installation of interpretive kiosks in Knickerbacker Park, beautification and streetscape improvements at key intersections, and development of a municipal parking lot between Second and Third Streets on Broad Street

Development of additional commercial uses, particularly those that provide goods and services to residents in adjoining neighborhoods, boaters, or other visitors, is critical to the long-term economic health and vitality of the Village. Commercial revitalization is being supported by the Village through the facade and streetscape improvement design guidelines completed in 2004, and related projects such as the implementation of a Waterford microenterprise assistance program. Efforts such as the recently established microenterprise assistance program, grants, low-interest loans and other incentives, as well as facade and streetscape improvements, are also needed to support existing businesses and attract new neighborhood-oriented commercial and tourism-related businesses. In 2005, the Village will begin a facade improvement program and business loan program for Broad Street businesses.

Commercial uses within the Town of Waterford are concentrated in the Hudson River Road (Route 4/32) corridor and Saratoga Avenue. These uses will continue to be supported and enhanced, with new commercial development occurring at undeveloped portions of existing commercial districts. These areas are most appropriate for highway commercial development, as opposed to neighborhood commercial development.

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1.5 Protect stable residential areas from deterioration and incompatible uses.

Older residential neighborhoods in the Town and Village of Waterford within the LWRP boundary will be protected from the effects of development and will be revitalized through rehabilitation and facade and streetscape improvements. Homeownership assistance will be considered to reduce the occurrence of absentee landlords. Because most of the village and the older sections of the Town are almost completely built out, infill development will be discouraged or used sparingly to allow additional opportunities for greenspace development and density reduction. Additions and alterations to residences within the Waterford Village historic districts will be compatible with the original and historical character of the existing building, and will be carried out in accordance with the Village's historic preservation ordinances.

1.6 Minimize the potential adverse land use, environmental, and economic effects from proposed development.

Waterford zoning and site plan review regulations, and the State Environmental Quality Review (SEQR) process seek to minimize adverse environmental impacts resulting from new development.

In accordance with local laws, all new uses in the Town and Village of Waterford's waterfront revitalization area, and particularly on the waterfront itself, will be reviewed as applicable by the Town or Village planning board.

The Town's Site Plan review procedures are set forth in Chapter 131 of the Code of the Town of Waterford. Site plan review is required for all new uses except:

- ▶ Landscaping or grading which is not intended to be used in connection with land use reviewable under the provisions of this chapter;
- ▶ Construction of one- or two-family dwellings and ordinary accessory structures, and related land use activities;
- ▶ Ordinary repair and maintenance or interior alterations to existing structures or uses;
- ▶ Exterior alterations or additions to existing structure which would not increase the square footage of the existing structure by more than 25%, having a cost of less than \$10,000.

Article IX, Section 9.2 of the Village's Zoning Ordinance stipulates that "no building shall be erected, moved, externally altered, added to, or enlarged, and no excavation for any building shall be begun unless and until a building permit for such work has been issued by the Zoning Inspector."

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The Village does not currently have site plan review, but the zoning ordinance gives the Planning Commission the authority to establish site plan review regulations. Such recommendations will be developed as part of LWRP implementation and will be similar to those set forth in the Town of Waterford's zoning ordinance as described above. The Village is currently using a set of review criteria developed by the municipal attorney and effective as of July 10, 1996. These criteria address issues of public safety; quiet enjoyment of adjoining and nearby parcels; neighborhood appearance; and the economic well-being of the Village.

Such reviews by the Town and Village planning boards shall take into account the economic, social, and environmental interest of the community and region as a whole, including the effect of the potential project on Waterford's waterfront revitalization and development goals. All projects will comply with these policies, enhance public and private enjoyment of waterfront areas, and, to the greatest extent feasible, allow for continued public access to waterfront areas.

Policy 2. Preserve historic resources.

The Town and Village of Waterford are part of historic Saratoga County as well as the RiverSpark Heritage Area, Mohawk Valley Heritage Corridor, Hudson Mohawk Industrial Gateway, Hudson River Greenway and Champlain Canal Scenic Byway. In addition, the Champlain Valley, with Waterford anchoring its southern end, was recently designated as a national heritage corridor, and the Hudson River was recently designated as an American Heritage River by the federal government. Like other Capital District communities, the Town and Village of Waterford are extraordinarily rich in social, architectural, industrial, engineering and military history, and are still working to capitalize on this richness.

With the exception of the Northside Historic District and a few isolated structures in the Town, most of Waterford's historic resources are located within the Village. The Village of Waterford is defined by an extraordinary spectrum of historic buildings that express a wide variety of architectural styles, including Federal, Georgian, Empire and Greek Revival styles as well as expressions of various Victorian fads. The Waterford Village Historic District, which is listed in the National and State Registers of Historic Places, includes approximately 200 buildings, or more than half of all buildings located within the Village.

These buildings are also protected by Local Law #2 of 1985, which established a local historic district with the same boundaries as the National Register District and prevents buildings from being demolished in whole or in part unless a certificate of appropriateness (COA) is issued by the Village in accordance with strict demolition standards. A second ordinance, Local Law #1 of 1986, controls exterior alterations, repairs, and additions, establishing review criteria based upon the U.S. Secretary of

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Interior's Standards for Preservation. These standards are intended to assist the Village and its property owners to maintain the architectural integrity of Village buildings.

In the Town of Waterford, the Northside Historic District is located along the old Champlain Canal between the Village of Waterford's southern boundary and the Mohawk River. It encompasses over 100 buildings situated on Saratoga Avenue, Museum Lane, Fulton Street and Canal Street. The Northside Historic District is also listed in the National and State Registers of Historic Places. The Town of Waterford does not have a local historic preservation ordinance or architectural review standards.

Other National and State Register-listed historic buildings and sites in Waterford include the Romanesque Revival style Ormsby-Laughlin Textile Companies Mill, Champlain Canal, and Peebles Island. Properties that are potentially eligible for the National and State Registers include the Erie Canal, remaining portions of King's Power Canal, Troy-Waterford (Union) Bridge, Cohoes Bridge, Ninth Street Bridge, Fourth Street Bridge, Second Street (Peebles Island/North) Bridge, Fulton Street Bridge, a large Greek Revival house north of the village on Hudson River Road, a barn on Fonda Road, and several residences scattered along Fonda Road near River Bend.

Priority will be given to development of a Broad Street revitalization strategy, downtown and neighborhood design guidelines, and facade and streetscape improvements within the Village, Broad Street commercial district and Saratoga Avenue. An important aspect of these priority tasks will be to strengthen the physical and visual linkages between waterfront and downtown commercial areas, particularly within the Village.

This policy recognizes the importance of preserving and enhancing the historic resources of the Town and Village of Waterford.

Policy standards applicable to Policy 2 include the following:

2.1 Preserve, protect and enhance historic structures and landscapes in the Town and Village of Waterford from incompatible development.

As noted above, the Town of Waterford had not adopted any local laws regarding the protection of properties and districts listed in the National Register of Historic Places or requiring architectural design review.

In addition to the normal building permit requirement, the Village of Waterford's Local Law #2 of 1985 created a local historic district with boundaries corresponding to those of the National Register-listed Waterford Village Historic District. The local law requires certificates of appropriateness (COAs) for all demolitions, with the zoning inspector and zoning board of appeals reviewing COA applications. COA applications for demolition are generally denied unless the following criteria are met:

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- ▶ The retention of such structure constitutes a hazard to public safety which hazard cannot be eliminated by reasonably economic means;
- ▶ The structure has no historic, architectural or aesthetic interest or value in and of itself and that its demolition would have no adverse impact upon any adjoining or neighboring structures having themselves historic, architectural or aesthetic interest or value;
- ▶ There is no present reasonable economic use of the structure and no reasonable alternative economic use of the structure possible.

Village of Waterford Local Law #1 of 1986 regulates the issuance of special permits for alterations, repairs, and additions to existing buildings. Such changes must be consistent with the following standards:

- ▶ The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material and distinctive architectural features should be avoided when possible;
- ▶ All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- ▶ Changes which have taken place in the course of time are evidence of the history and development of a building structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- ▶ Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features.
- ▶ The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- ▶ Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood or environment.

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- ▶ Historic materials should be retained and restored. Removal or covering of historic materials is to be discouraged wherever physically and/or economically practicable.
- ▶ Retention of original design, style, and size of windows, doors, and other openings in a facade of an existing structure is to be accomplished wherever practicable. Restoration of the historic appearance of such features is to be encouraged when they have been formerly altered.
- ▶ Ornamentation in wood, masonry, or metal should be preserved and repaired on all facades. Missing elements should be restored when their configuration can be established.
- ▶ In order to retain visual integrity, new construction shall be compatible with the architecture existing in the neighborhood. Harmony or incompatibility should be evaluated in terms of the appropriateness of materials, scale, size, height, placement, rhythm, texture and design of a new building or structure in relationship to surrounding historic buildings and structures and to the setting thereof.

The same local law also modified the Village's signage laws to include the following standards related to historic resources:

- ▶ The removal or alteration of signs which are an historic part of the architectural fabric or historic character of the structure such as a date, name of the building, or name of an historic business once located there, shall be discouraged, and shall be subject to the approval of the Board of Appeals.
- ▶ No sign shall be placed upon a balcony, porch, canopy, shed, roof, parapets (or similar appurtenance), door or window, etc., in any manner whatsoever so as to disfigure or conceal any architectural feature or detail of any building.

In addition to the stipulations set forth in these local laws, the Town and Village of Waterford will help preserve, protect and enhance historic resources through the following:

- ▶ Preserving the historic character of residential, commercial and industrial buildings by protecting historic materials and features by making repairs or alterations using appropriate materials whenever possible;
- ▶ Providing for compatible use of an historic resource while limiting and minimizing alterations to the resource;
- ▶ Promoting the designation of historic landmarks that reflect the cultural, social, economic, and/or architectural history of the Town and Village of Waterford,

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Champlain Canal Scenic Byway, RiverSpark Heritage Area, Mohawk Valley Heritage Area, Hudson Mohawk Industrial Gateway and the Capital District region;

- ▶ Continuing revitalization efforts in the Village, particularly facade and streetscape improvement efforts;
- ▶ Continuing and expanding promotion and interpretation efforts;
- ▶ Recognizing that public investment in historical development is important to illustrate a commitment to the business community and public at large, who may later invest;
- ▶ Developing incentive and enforcement programs to stimulate appropriate building rehabilitation; and
- ▶ Avoiding potential adverse impacts of development on nearby historic structures.

The Town and Village of Waterford will preserve and retain the historic character-defining elements of the resource, using the following standards to achieve the least degree of intervention:

- ▶ Protect and maintain historic materials and features according to the following approach:
 - Evaluate the physical condition of important materials and features.
 - Stabilize materials and features to prevent further deterioration.
 - Protect important materials and features from inadvertent or deliberate removal or damage.
 - Ensure the protection of historic elements through a program of nonintrusive maintenance of important materials and features.
- ▶ Repair historic materials and features according to recognized preservation methods when their physical condition warrants.
- ▶ When a historic feature is missing or the level of deterioration or damage precludes maintenance or repair:
 - Limit the replacement of extensively deteriorated features or missing parts to the minimum degree necessary to maintain the historic character of the resource.
 - Maintain historic character where a deteriorated or damaged feature is replaced in its entirety. In replacing features, the historic character of the resource can be best maintained by replacing parts with the same kind of material. Substitute materials may be suitable if replacement in kind is not technically or

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economically feasible and the form, design, and material convey the visual appearance of the remaining parts of the feature.

- When re-establishing a missing feature, ensure that the new feature is consistent with the historic elements of the resource. If adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, use available documentation to design and construct a new feature. If adequate documentation does not exist, design and construct a new feature that is compatible with the remaining features of the resource. The new design should be based on research, pictorial, and other evidence so that a true historical appearance is created.

The Town and Village will also provide for efficient, compatible use of historic resources in accordance with the following standards:

- ▶ Foster uses that maximize retention of the historic character of the resource:
 - Maximum retention of historic character is best achieved by using the resource as it was historically used.
 - If the resource cannot be used as it was historically used, adapt a use to the historic resource that maximizes retention of character-defining materials and features.

- ▶ Minimize alterations to the resource to preserve and retain its historic character:
 - Minimize potential negative impacts on the resource's historic character due to necessary updates in systems to meet health and safety code requirements or to conserve energy.
 - Make alterations to the resource only as needed to ensure its continued use and provided that adverse impact on the resource is minimized. Alterations may include selective removal of features that are not historic elements of the resource and its setting and that detract from the overall historic character of the resource.
 - Construct new additions only after it is determined that an exterior addition is the only viable means of assuring continued use of the resource.
 - In constructing new additions, use appropriate design and construction to minimize adverse impact on the resource's historic character. Adverse impact can be minimized in new additions by: clearly differentiating from historic materials and features; using design compatible with the historic materials, forms and details, size, scale and proportion, and massing of the resource and its setting. In addition, new additions should be designed such that, if removed in the future, the essential form and integrity of the historic resource and its setting would not be impaired.

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The Town and Village will minimize loss of historic resources or the historic character of the waterfront area when it is not possible to completely preserve and retain the resource in accordance with the following standards:

- ▶ Relocate an historic resource when it cannot be preserved in place and:
 - The resource is imperiled:
 - Directly by a proposed activity which has no viable alternative which would not result in adverse effects on the resource, or
 - Indirectly by surrounding conditions which are likely to result in degradation or inadequate maintenance of the resource.
 - The resource cannot be adapted for use on the existing site which would result in preservation of the resource.
 - A suitable site for relocation is available, and
 - It is technically and economically feasible to move the resource
- ▶ Allow for demolition of the resource only when:
 - It is not feasible to protect the resource through relocation, and
 - The resource has been officially certified as being imminently dangerous to life or public health, or
 - The resource cannot be adapted for any use on the existing site or on any new site
- ▶ Document in detail the character-defining elements of the historic resource in its original context prior to relocation or demolition of the resource.

The Town and Village will avoid potential adverse impacts of development on adjacent or nearby historic properties in accordance with the following standards:

- ▶ Protect historic resources by ensuring that development is compatible with the historic character of the affected resource.
- ▶ Design development to a size, scale, proportion, mass, and with a spatial relationship compatible with the historic resource.
- ▶ Design development using materials, features, forms, details, textures, and colors compatible with similar features of the historic resource.

2.2 Protect and preserve archeological resources.

The Hudson and Mohawk Valleys have figured significantly in the development of New

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York State and the nation, serving first as early gateways to the north and west and later, as major transportation corridors during the industrial revolution. Similarly, the Erie Canal played a key role in the development of the Mohawk Valley as well as much of central and western New York. Within these contexts, Waterford served as the eastern gateway to the Erie Canal and the southern gateway of the Champlain Canal, and was a thriving commercial, industrial and maritime center. As a result, archeological investigations in shoreline areas have uncovered numerous artifacts and are likely to be found in future excavations. If impacts are anticipated on a significant archeological resource, potential adverse impacts will be minimized by:

- ▶ Redesigning the project;
- ▶ Reducing direct impacts on the resource; and/or
- ▶ Recovering data and artifacts prior to construction.

Policy 3. Enhance visual quality and protect scenic resources in the Town and Village of Waterford.

The scenic qualities of the Hudson and Mohawk Rivers and Erie and Champlain Canals are significant and contribute considerably to the beauty and character of the Hudson-Mohawk region. The Cohoes Falls have drawn visitors since the early settlement period and continues to be an important, if informal, destination for visitors, as has the

Waterford Flight, an internationally-recognized engineering feat. These scenic resources and related cultural elements will be formally identified, protected to the maximum extent feasible, and, where appropriate, promoted as destinations. The preservation of the aesthetic, historic, and scenic character of Waterford is important to the area's attraction as a waterfront area and heritage area.

Scenic views identified in Section II are extensive and varied. They include long range views from roadways such as views along Hudson River Road as it approaches the Village and Flight Lock Road; views from higher elevations such as along the informal Cohoes Falls Trail, and long and short range views from bridges and shoreline trails. Scenic values associated with the Cohoes Falls, on both sides of the Mohawk River, are particularly vulnerable to degradation from development. These views include the Cohoes Falls and Mohawk River as well as the architecturally significant Harmony Mills complex in Cohoes. Development could obscure views and public access and/or significantly alter scenic values. Project reviews will take into account and work to mitigate potential negative impacts on these views.

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3.1 Protect and improve visual quality in the Town and Village of Waterford.

The Town and Village of Waterford will protect and improve visual quality and scenic vistas by adhering to the following standards and guidelines:

- ▶ Minimizing the introduction of elements which would be discordant with existing scenic components and character;
- ▶ Restoring deteriorated and removing degraded visual components;
- ▶ Screening elements which detract from visual quality;
- ▶ Using appropriate siting, scales, forms and materials to ensure that structures are compatible with and add interest to existing scenic elements;
- ▶ Preserving existing vegetation and adding new vegetation to enhance scenic quality;
- ▶ Allowing selective clearing of vegetation to provide or enhance public views;
- ▶ Improving the visual quality of developed areas; and
- ▶ Considering the impact of new development on existing visual resources.

3.2 Identify, develop and/or improve properties that have the potential to enhance the public's appreciation of the visual resources of the Town and Village of Waterford.

The Town and Village of Waterford have numerous locations with great scenic values. These locations include the Hudson River shoreline, Cohoes Falls and Mohawk River shoreline, Waterford Flight, Champlain Canal Trail, Waterford Canal Harbor and the NYS Boat launch (Alcathy's), and Peebles Island. These viewing locations need to be preserved and enhanced.

Locations with potential for scenic resource improvements and enhancements include:

- ▶ Clement Park and the adjoining Mohawk River shoreline to the north and south, which have great potential for trail development and installation of scenic overlooks with interpretive signage;
- ▶ Areas adjacent to the Waterford Flight (both sides), where selective pruning, thinning and landscaping would enhance views of the Flight and surrounding areas;
- ▶ Upper Mohawk shoreline (north of the Flight) and NYS boat launch; and

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- ▶ the five islands, particularly Peebles Island.

Policy 4. Minimize loss of life, structures, and natural resources from flooding and erosion.

Most of the Village of Waterford and portions of the Town are located within the 100 year flood plain. Both communities participate in the National Flood Insurance Program (NFIP) and have local laws covering flood damage prevention. These laws are intended to prevent future property damage within the flood hazard area.

Erosion has not been a significant problem in Waterford to date.

Policy standards related to Policy 4 include the following:

4.1 Minimize flooding damage in the Town and Village of Waterford through the use of appropriate management measures.

Appropriate management measures shall be based on Chapter 91 of the Code of the Town of Waterford, and Chapter 115 of the Code of the Village of Waterford, which set forth the Town's and Village's Flood Hazard Prevention regulations. Chapter 91 (Town) and Chapter 115 (Village) include general standards, standards for all structures, specific standards for residential structures, specific standards for nonresidential structures, and specific standards for manufactured homes and recreational vehicles. All construction is subject to approval under a floodplain development permit process.

The following general standards conform to standards in the Town and Village of Waterford Flood Hazard Prevention laws. Standards which use various management measures designed to prevent flood damage prevention and protect life and property, are presented below in order of priority:

- ▶ Locating development and structures away from areas of known flooding hazards;
- ▶ Elevating and/or flood proofing structures and facilities, especially where a substantial improvement is proposed;
- ▶ Building flood protection works and other water retention facilities to protect structures against periodic flooding;
- ▶ Flood proofing individual sites with perimeter embankments or other techniques;
- ▶ Prohibiting the use of funds to structures that have suffered damages because of their flood plain conditions; and
- ▶ Providing funds for housing rehabilitation in the flood plain only in the context of

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flood-proofing, and only when determined as “no practicable alternative.”

4.2 Preserve and restore natural protective features.

Natural protective features are beaches, dunes, shoals, bars, wetlands, and associated natural vegetation. As flooding and erosion protective features, these are considered superior to man-made features and will be preserved where feasible in the Town and Village of Waterford. Natural protective features in Waterford are limited to wetlands and associated natural vegetation.

The protection of wetlands is addressed in Policy 5. Standards applicable to preserving and restoring natural protective features include:

- ▶ Avoiding the alteration or interference with shorelines in their natural condition;
- ▶ Restoring damaged natural features whenever practical;
- ▶ Using vegetative approaches to stabilize natural shoreline features; and
- ▶ Providing signage or other interpretive materials to increase public awareness of natural features.

4.3 Protect public lands when undertaking erosion or flood control projects.

Every effort will be made to protect the loss of public lands threatened by flooding and erosion using the techniques and standards described above.

4.4 Expend public funds for management or control of flooding hazards only in areas of the waterfront which will result in proportionate public benefit.

Factors to be used in determining public benefit attributable to the proposed flood control measure include:

- ▶ Economic benefits derived from protection of public infrastructure and investment and protection of water-dependent commerce;
- ▶ Protection of significant natural resources and maintenance or restoration of coastal processes;
- ▶ Integrity of natural protective features;
- ▶ Extent of public infrastructure investment;

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- ▶ Extent of existing or potential public use.

Evaluation of these factors may indicate that public expenditure for flood control projects is warranted in developed centers.

Policy 5. Protect and improve water resources.

The purpose of this policy is to protect the quality and quantity of water in the waterfront revitalization area. Quality considerations include both point and nonpoint pollution management. Water quality protection and improvement must be accomplished by the combination of managing new and remediating existing sources of pollution.

The primary water resources in the Town and Village of Waterford are the Hudson River, Mohawk River, Erie Canal and Champlain Canal.

The protection and improvement of these resources is of great importance to the Town and Village of Waterford. Maintenance and improvement of the quality of these resources is central to short and long term waterfront revitalization goals.

A water quality rating of “C” has been established for the Hudson River, a water quality rating of “A” has been established for the Mohawk River, and the water quality rating of the Erie and Champlain Canals reflects water quality of the waterways they are fed by (generally the Hudson and Mohawk Rivers in this section of the state). A Class A rating indicates water is suitable for drinking, culinary or food processing purposes, primary and secondary contact recreation, and fishing. This rating also indicates that these waters are also suitable for fish propagation and survival. This classification is acceptable for the land and water uses described in this Local Waterfront Revitalization Program. A Class C rating indicates water is suitable for fish propagation and survival and possibly, primary or secondary contact recreation, depending on existing conditions. It is also acceptable for the land and water uses described in this document.

The following policy standards are applicable to Policy 5:

5.1 Prohibit direct discharges that would contribute to lowering water quality standards.

This policy focuses on those discharges into the water resources of Waterford's waterfront revitalization area that have an identifiable source, such as a development site, industrial operation, or wastewater treatment plant, the so-called “point-source” discharges. Point-source discharges into the water resources of Waterford will be prevented by avoiding land and water uses which would:

- ▶ Exceed applicable effluent limitations;

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- ▶ Cause or contribute to contravention of water quality classification and use standards;
or
- ▶ Adversely affect the quality of receiving water.

The effective treatment of sanitary sewage and industrial discharges will be ensured by:

- ▶ Maintaining efficient operation of sewage and industrial treatment facilities;
- ▶ Providing, at a minimum, secondary treatment of sanitary sewage;
- ▶ Making improvements to sewage treatment facilities to improve nitrogen removal capacity;
- ▶ Reducing demand on treatment facilities by eliminating combined sewers;
- ▶ Reducing the loading of toxic materials into waters by including limits on toxic metals as part of wastewater treatment plant effluent permits;
- ▶ Reducing or eliminating combined sewer outflows; and
- ▶ Providing and managing on-site disposal systems where appropriate.

5.2 Minimize indirect or non-point source pollution of water resources and manage activities causing non-point source pollution.

Non-point source pollution is pollution that originates from sources that are not localized or easily identifiable. Non-point source pollution includes runoff from urban areas and agricultural operations. Limiting non-point sources of pollution is the best way to avoid non-point pollution. This can be accomplished by the following:

- ▶ Reducing or eliminating the introduction of materials which may contribute to non-point source pollution;
- ▶ Avoiding activities that would increase storm water runoff;
- ▶ Controlling and managing storm water runoff;
- ▶ Retaining or establishing vegetation or providing soil stabilization; and
- ▶ Preserving natural hydrologic conditions through maintenance of natural water surface flows, retainage of natural watercourses, and drainage systems.

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5.3 Protect and enhance the quality of water resources.

To preserve and improve water quality, the Town and Village of Waterford will minimize non-point source pollution, including rainfall and snow melt, by the following actions:

- ▶ Retaining as much of the natural vegetation as possible near the waterfront and avoiding the mass clearing of sites;
- ▶ Utilizing large graded areas on the most level portions of development sites, and avoiding the development of steep vegetated slopes;
- ▶ Conducting grading and clearance activities outside of floodplains to the maximum extent feasible;
- ▶ Continually evaluating the effectiveness of storm collection systems, and making improvements, where possible, aimed at collecting and detaining sediments in filtering catch basins and retention areas.

The discharge of sewage, garbage, rubbish, and other solid and liquid materials from water craft and marinas into New York State waterways is regulated by State law. Adequate pump-out facilities are maintained at the Waterford Canal Harbor to discourage the overboard discharge of sewage from boats.

Another potential source of pollution is dredging. Dredging is often essential for waterfront revitalization and development, as it is needed to maintain navigation channels and remove pollutants. Dredging activities, however, may adversely affect water quality, fish and wildlife habitats, and other waterway resources. Dredging activities are controlled by New York State. In Waterford, areas that may require dredging include the Hudson River, which was placed on the National Priorities List (NPL) as a Superfund site by the U.S. Environmental Protection Agency (EPA) in 1983.

The EPA recently reevaluated its 1984 determination that dredging, as opposed to the river naturally cleaning itself, would not be an appropriate remediation for the removal of PCBs in the Hudson River. In a February 2002 Record of Decision, the EPA announced final plans to dredge 2.65 million cubic yards of contaminated sediment from a 40-mile stretch of the upper Hudson to remove an estimated 150,000 pounds of polychlorinated biphenyls (PCBs).

In all dredging, Waterford urges the State to undertake all activities carefully so as to minimize pollution, and to dispose of the dredge spoil in areas where it will cause the least harm.

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5.4 Protect and conserve the quality and quantity of potable water.

- ▶ Prevent contamination of potable waters by limiting discharges of pollutants to maintain water quality according to water quality classification, and limiting land use practices which are likely to contribute to contravention of surface and groundwater quality classifications for potable water supplies.
- ▶ Limit cumulative impact of development on groundwater recharge areas to ensure replenishment of potable groundwater supplies.

Policy 6. Protect and restore ecological resources, including significant fish and wildlife habitats, wetlands, and rare ecological communities.

Habitat protection is fundamental to assuring the survival of fish and wildlife populations. Certain habitats are critical to the maintenance of a given population and therefore merit special protection. Such habitats exhibit one or more of the following characteristics: 1) they are essential to the survival of a large portion of a particular fish or wildlife population; 2) they support populations of rare and endangered species; 3) they are found at a very low frequency within a region; 4) they support fish and wildlife populations having significant commercial and/or recreational value; and 5) they would be difficult or impossible to replace.

Ecological resources exist throughout the Town and Village of Waterford's waterfront revitalization area and include wetlands (see [wetlands map](#)), wildlife habitats, and rare ecological communities. In addition to the wetland areas between Hudson River Road and the Hudson River, most ecological resources are located on and around Peebles Island.

Policy standards applicable to Policy 6 include the following:

6.1 Protect fish and wildlife habitats.

As stated under Policy 4, all projects along the waterfront, and especially projects involving waterfront access, must be developed in a manner that ensures the protection of fish and wildlife resources. Project reviewers will consider the potential effect on fish and wildlife habitats, and the following actions will be taken as appropriate and applicable:

- ▶ Avoid activities that would destroy or impair habitats through disturbance or pollution or indirectly cause the loss of habitat;
- ▶ Schedule development or other activities to avoid vulnerable periods in life cycles of habitats; and

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- ▶ Encourage projects to be designed in ways that will result in the least potential damage to habitats.

6.2 Ensure that development in the Town and Village of Waterford does not significantly harm wetlands or wooded areas.

Wetland and wooded areas comprise only limited areas of the Hudson River, Mohawk River, Erie Canal and Champlain Canal shorelines in the waterfront revitalization area (see [wetlands map](#)). These areas contribute to the natural ecosystem of the rivers and canals and generally add beauty to the overall landscape.

Development that would damage wetland and wooded areas will be avoided. In such cases where impairment of these resources cannot be avoided, it will be minimized through appropriate mitigation measures.

The following actions and policies will be applied to projects affecting wetland and wooded areas within the waterfront revitalization area boundaries:

- ▶ Adequate buffers will be provided and maintained between wetlands and adjacent uses to the maximum extent feasible.
- ▶ Prevent a net loss or placement of fill in vegetated wetlands:
 - Avoiding the placement of fill in vegetated wetlands;
 - Designing projects to result in the least amount of damage;
 - Choosing alternative actions or methods that would lessen potential harm;
 - Mitigating the unavoidable damage resulting from activities by replacement of lost wetland areas or by other appropriate means.
- ▶ Protect woodlands to the maximum extent feasible.

Waterford's woodland areas are located in the Town outside the Village and are protected as land conservation districts as set forth in the zoning ordinances (see [zoning map](#)) of the Town of Waterford. Uses allowed by right in land conservation districts only include farms and other agricultural operations; parks, playgrounds, athletic fields, golf courses, riding academies, and other similar uses; municipal or public utility buildings or structures; cemeteries; and New York State Barge Canal uses.

In addition, the following standards shall also apply:

- Maintaining a vegetative buffer in shoreline areas, and encouraging the retention of

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- such buffers when new development occurs;
- Protecting trees during construction to ensure they are not accidentally injured or removed;
- Encouraging incorporation of vegetation when new development allowed in land conservation districts occurs;
- Encouraging and preserving vegetation that shades water surfaces.

Policy 7. Protect and improve air quality.

Details on this policy are not included in the Local Waterfront Revitalization Program. Refer to State regulations for policies and standards that protect Waterford's air quality.

Policy 8. Minimize environmental degradation from solid waste and hazardous substances and wastes.

The intent of this policy is to protect people from contamination and to protect waterfront resources in Waterford from degradation through proper control and management of wastes and hazardous materials.

Policy standards related to Policy 8 include the following:

8.1 Manage solid waste to protect public health and control pollution.

Effective management of solid waste in the Town and Village of Waterford will follow the established State priorities for reducing, reusing and disposing of such waste. Responsible solid waste management also requires that the issue of disposal be addressed before project approval is granted.

Solid waste will be managed by:

- ▶ Reducing the amount of solid waste generated;
- ▶ Reusing or recycling materials; and
- ▶ Using land burial or other approved methods to dispose of solid waste that is not reused or recycled.

The discharge of solid wastes into the environment will be prevented by using proper handling, management and transportation practices.

The disposal of solid waste will be adequately addressed when evaluating any development proposal within the waterfront revitalization area.

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8.2 Manage hazardous wastes to protect public health and control pollution.

Inactive hazardous waste disposal sites in the waterfront revitalization area should be remedied. According to the New York State Department of Environmental Conservation, there are three hazardous waste sites in the Town and Village of Waterford: the General

Electric landfill, the former Friedrichson's cooperage site at 153-155 Saratoga Avenue, and the Peebles Island landfill. All of these sites are considered inactive, although portions of the General Electric landfill are still in active use for disposal of trash.

Hazardous wastes will be managed in accordance with the following priorities:

- ▶ Eliminating or reducing the generation of hazardous wastes to the extent feasible;
- ▶ Recovering, reusing, or recycling remaining hazardous wastes to the extent feasible;
- ▶ Using detoxification, treatment, or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused or recycled; and
- ▶ Phasing out land disposal of industrial hazardous wastes.

8.3 Protect the environment from degradation due to toxic pollutants and hazardous substances.

The release of toxic pollutants or substances hazardous to the environment that would have a harmful effect on fish and wildlife resources will be prevented.

Public health, private property, and fish and wildlife need to be protected from the inappropriate use of pesticides by:

- ▶ Limiting the use of pesticides to the effective targeting of actual pest populations;
- ▶ Preventing direct or indirect entry of pesticides into waterways; and
- ▶ Minimizing the exposure of people, fish and wildlife to pesticides.

Appropriate actions will be taken to correct all unregulated releases of substances hazardous to the environment.

8.4 Prevent and remediate discharge of petroleum products.

The handling of petroleum products near water bodies must be undertaken with utmost care. The following standards will be applied to the Town and Village of Waterford:

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- ▶ Requiring an adequate plan for prevention and control of petroleum discharges at any major petroleum related facility; and
- ▶ Undertaking clean-up and removal activities of petroleum discharge in accordance with guidelines contained in the New York State Water Accident Contingency Plan and Handbook, and giving first priority to minimizing environmental damage.

8.5 Transport solid waste and hazardous substances and waste in a manner which protects the safety, well-being and general welfare of the public, the environmental resources of the State, and continued use of transportation facilities.

8.6 Seek alternatives to locations within the Waterford waterfront revitalization area for solid and hazardous facilities.

The purpose of the waterfront revitalization area of Waterford is to create a waterfront that is attractive to tourists and residents, as well as to preserve waterfront lands or water-dependent and water-enhanced uses. The waterfront revitalization area also includes a concentration of population not present in outlying areas. For these reasons, the siting of solid and hazardous waste facilities in the waterfront revitalization areas will be avoided.

Policy 9. Improve public access to, and recreational use of, public lands, waters and resources of the waterfront revitalization area.

Physical and visual access to many sections of the Hudson River, Mohawk River, Erie Canal and Champlain Canal shoreline is restricted by heavy vegetation; private residential, commercial and industrial properties; and private residential, commercial and industrial uses.

Public access points in the Town consist mainly of the Champlain Canal Trail, Peebles Island small craft docks, other Mohawk River islands, state-owned land along the Waterford Flight, NYS boat launch (formerly Alcathy's) on the Mohawk River north of Lock 6, Peebles Island State Park, and Clement Park (see [public access and recreation areas map](#)). Most of the Mohawk River shoreline is in private ownership, and in the Southern Mohawk/Lower Waterford Flight sub-area, is largely undeveloped with excellent potential for enhanced public access. To the north of Mallard's Landing and Canvasback Ridge, a 500' strip of shoreline area is protected as a land conservation district under the Town's zoning ordinance. The state-owned land along the Hudson River to the east of Industry Drive and along the Town's border with Halfmoon in the Hudson River Road sub-area also has potential for additional public access

Public access points in the Village include Lock 2 Park; Soldiers and Sailors and Knickerbacker parks; Champlain Canal Trail; NYS boat launch at the foot of First Street;

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the waterfront promenade, street-end parks and visitor center at the Battery; and Fourth Street Park.

The proposed Waterford Flight Trail, Cohoes Falls Trail, Upper Mohawk Trail, Champlain Canal Trail extension, pedestrian trail linkages, and the NYS boat launch (formerly Alcathy's) on the Mohawk River will substantially increase public visual and physical access to waterfront areas.

This policy incorporates measures needed to improve public access and recreational resources in the Town and Village of Waterford.

Policy standards related to Policy 9 are as follows:

9.1 Promote physical public access and recreation throughout Waterford's waterfront revitalization area.

Improving access to the Hudson River, Mohawk River, Erie Canal and Champlain Canal is very important to the Town and Village of Waterford. Along with the NYS Canal Corporation and other state agencies, both communities have made substantial investments in waterfront areas and the Broad Street commercial district, and have long recognized that public access to the waterfront and water-related recreation facilities can attract tourists, improve the quality of life for residents, and generate additional revenue.

In addition to the projects already completed, public access will be expanded through the:

- ▶ Completion of the Champlain Canal Trail by extending it northward to the Town of Halfmoon;
- ▶ Development of the Waterford Flight Trail along the north and south sides of the flight;
- ▶ Development of a Cohoes Falls Trail along the Mohawk River north and south of Clement Park;
- ▶ Redevelopment and enhancement of Clement Park as the trailhead for the Cohoes Falls Trail, with scenic overlooks incorporating interpretive signage related to the Cohoes Falls and Harmony Mills complex;
- ▶ Development of boat docking facilities on the south side of the Broad Street Bridge on the Champlain Canal, near Bechard's;
- ▶ Development of a formal trail system and installation of interpretive and directional

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signage at Peebles Island, and of a bike trail from Peebles Island to Green Island; and,

- ▶ Development of a trail marker system linking Waterford Canal Harbor, downtown Waterford business district, Waterford Flight, Champlain Canal Trail, Cohoes Falls Trail, and other important sites and amenities.

The following standards will be used as a guide in making future decisions regarding public access and expanding recreation opportunities within the waterfront revitalization area:

- ▶ Promoting and enhancing the entire Champlain Canal Scenic Byway Corridor, with particular emphasis on promoting and enhancing the Waterford Canal Harbor, as well as the Hudson River Road, Broad Street and Saratoga Avenue commercial areas in the Town and Village, and establishing the Waterford Visitor Center, Waterford Historical Museum, Waterford Flight, and Peebles Island State Park as anchors and important destinations for tourism and recreation development;
- ▶ Continuing and strengthening downtown revitalization efforts in the Village and Saratoga Avenue section of the Town;
- ▶ Working to develop the interconnected trail system and physical access linkages along the four waterways, including the Niagara Mohawk right-of-way between the Mohawk and Hudson Rivers;
- ▶ Encouraging new water-dependent and related uses to locate within the LWRP waterfront revitalization area as well as encouraging existing uses such as restaurants, inns or hotels, and service-oriented businesses to include waterside amenities such as floating docks or decks for dining;
- ▶ Interpreting the Town's and Village's historic districts and landmarks as part of the region's heritage; and
- ▶ Encouraging the location of tour boats in the canal harbor; and
- ▶ Improving visual and physical linkages between commercial and waterfront areas, as well as other amenities, to improve visitor experiences and enhance local quality of life.

9.2 Protect and provide public visual access to waterfront lands and waters from public sites and transportation routes where physically practical.

To the extent feasible, views of the Hudson River, Mohawk River, Erie Canal and Champlain Canal from roads and public access areas will be expanded and enhanced to

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allow full appreciation of the beauty of these resources, and to increase the attractiveness of the waterfront lands and water by:

- ▶ Limiting physical blockage of existing visual access by constructing improvements and buildings at an appropriate scale and location;
- ▶ Protecting view corridors provided by streets or natural resources;
- ▶ Clearing excess and overgrown vegetation along waterfront areas wherever practical and environmentally acceptable;
- ▶ Creating and/or improving roadway pulloffs;
- ▶ Providing interpretive signage and/or exhibits at appropriate locations to enhance the understanding and enjoyment of views;
- ▶ Facilitating the City of Cohoes' efforts to light the Cohoes Falls.

9.3 Provide access and recreation which is compatible with natural resource values.

Public access points and recreational activities must avoid adverse impacts on natural resources. The following factors will be utilized in determining the potential for adverse environmental effects:

- ▶ The intensity of the anticipated recreational activity;
- ▶ The level of disturbance associated with the activity; and
- ▶ The sensitivity of the natural resources involved.

Access will be limited where the uncontrolled public use of a recreational facility or public access site would impair the natural resources. In Waterford's waterfront revitalization area, public access and recreational use will be carefully planned and controlled in areas designated as land conservation districts in the zoning ordinances and local laws of the Town and Village of Waterford.

The following additional standards and guidelines will be applied in analyzing recreation and public access projects along waterfront areas:

- ▶ Providing access for fish and wildlife related activities, so long as the level of access would not result in the loss of the resources themselves;
- ▶ Using methods and structures of access which maintain and protect open space areas

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associated with natural resources; and

- ▶ Imposing seasonal limitations on public access where necessary to avoid adverse environmental impacts.

9.4 Preserve public interest in and use of lands and waters held in public trust by the state and other government levels.

Limit the transfer of interest in public trust lands to the minimum necessary conveyance of public interest.

- ▶ Provide the minimum conveyance using the legal instrument which results in the least abrogation of public interest.
- ▶ Limit the physical extent of any conveyance to the minimum amount of land necessary.

Policy 10. Protect the Town and Village of Waterford's water-dependent and water-enhanced uses, promote siting of new water-dependent or water-enhanced uses in suitable locations, and support efficient marina operation.

The intent of this policy is to protect existing water-dependent commercial, industrial, and recreational uses and to promote their future siting in accordance with the reasonably expected demand for such uses. It is also the intent of this policy to foster orderly water use management to address the problems of conflict, congestion, and competition for space in the use of surface waters and underwater lands.

Water-dependent uses are activities which require a location in, on, over, or adjacent to the water because the activities require direct access to water and the use of water is an integral part of the activity. Examples of water-dependent uses include public and private marinas, yacht clubs, boat yards, commercial and recreational fishing facilities, tour boat and charter boat facilities, unloading and aggregate trans-shipment facilities, waterborne commerce, ferries, marine educational or laboratory facilities, water-related public and quasi-public utilities.

Water-enhanced uses are activities which do not require a location adjacent to the waterfront, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail or entertainment uses.

Water-dependent uses are limited in the Town of Waterford to the NYS boat launch

(formerly Alcathy's); the Champlain Canal Trail; the Waterford Flight with related snubbing posts and operational facilities; private docks on the Hudson and Mohawk

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Rivers; small water craft docks at Peebles Island; and an existing network of waterfront trails. In the Village the water-dependent uses include the Champlain Canal Trail; the Waterford Visitor Center; Lock 2 of the Waterford Flight; the NYS boat launch at the foot of First Street; and the floating docks and moorings along the waterfront in the Battery Sub-Area.

In addition, many improvements proposed in this LWRP and related Comprehensive Plan can also be considered water-dependent and will be among the Town and Village of Waterford's priority waterfront revitalization projects. These include the creation of formal pedestrian trails along the Waterford Flight, Mohawk River (including Cohoes Falls and Crescent Lake), Champlain Canal Trail Extension, restoration of Champlain Canal Lock 5, and Erie Canal Lock 6 Park improvements.

Water-enhanced uses in the Town and Village of Waterford include Clement Park, Peebles Island State Park, Cohoes Falls footpath, Waterford Visitor Center, Waterford Historical Museum, various residential developments around the Town and Village, and Soldiers and Sailors and Knickerbacker parks.

Policy standards applicable to Policy 10 include the following:

10.1 Protect existing water-dependent uses.

Actions which would inhibit or interfere with existing water-dependent uses will be avoided. Conversely, actions that protect and enhance marine and public access facilities will be encouraged.

10.2 Promote the siting of new water-dependent or water-enhanced uses at suitable locations along the Hudson River, Mohawk River and Erie Canal.

Sites suitable for development or redevelopment within the LWRP boundary along the Hudson River, Mohawk River, Erie Canal and Champlain Canal are very limited in both the Town and Village of Waterford. Sites where additional water-dependent uses would be appropriate include the existing Erie Canal locks, the Battery area of the Village, Champlain Canal (particularly near Bechard's and the Broad Street Bridge), Peebles Island (and the other islands), the NYS boat launch (formerly Alcathy's) on the Mohawk River, Soldiers and Sailors and Knickerbacker Parks on the Hudson River, and, in the longer term, NYS-owned land on the Hudson River (parcels located along the river to the east of School House Lane and Higgins Road). New development would also be appropriate near Ursula of Switzerland, along the Mohawk River in the Dial City area.

The Town is currently working to restore weigh stations along the old Champlain Canal and hopes to put an exhibition boat in the water in future.

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10.3 Improve the economic viability of water-dependent uses.

Many water-dependent uses often contain and are supported by non-water-dependent uses that are complementary and supportive to the water-dependent use and do not impair the ability of water-dependent uses to function. These non-water-dependent uses often mix compatibly with water-dependent uses, provide beneficial support, and positively affect the working waterfront character.

Non-water-dependent accessory or mixed use developments will be encouraged provided that:

- ▶ Accessory uses are subordinate and functionally related to the principal water-dependent use and contribute to sustaining the water-dependent use;
- ▶ Mixed uses support the water-dependent use and are accompanied by a demonstrable commitment to continue operation of the water-dependent use;
- ▶ Uses are sited and operated so as not to interfere with the principal operation of the site for a water-dependent use; and
- ▶ Uses do not preclude future expansion of a water-dependent use.

Locations that exhibit important natural resource values, such as wetlands and fish and wildlife habitats, should be avoided.

Other uses may be incorporated in the waterfront, particularly water-enhanced and marine support services, provided that these uses:

- ▶ Improve the working waterfront and its character;
- ▶ Do not interfere with the efficient operation of another water-dependent use;
- ▶ Make beneficial use of a waterfront location through siting and design to increase public enjoyment of the waterfront.

10.4 Allow water-enhanced uses which complement or improve the viability of water-dependent uses.

In addition to water-dependent uses, certain uses which are enhanced by a waterfront location may be appropriate to locate along the shoreline, though not in a manner which would preclude future water-dependent uses.

Many water-dependent uses are often supported by water-enhanced uses that are

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complementary to the water-dependent use and do not impair the ability of water-dependent uses to function. Water-enhanced uses should be compatible with water-dependent uses, provide beneficial support, and be an asset to the waterfront.

When determining if a water-enhanced use is appropriate for siting along a waterfront, the following factors will be considered:

- ▶ The use would provide an economic incentive to prevent the loss of a water-dependent use;
- ▶ The use would be sited and operated so as not to interfere with water-dependent uses;
- ▶ The use would be sited in a manner which does not preclude future expansion of a water-dependent use;
- ▶ The activity makes beneficial use of a shoreline location through siting and design to increase public enjoyment of the waterfront and enhance community character.

10.5 Promote the efficient management of surface waters and underwater lands.

Lack of effective water use management contributes to congestion and competition for space within harbors, surface waters, and underwater lands. As a result, natural resources can be degraded and communities are not able to take advantage of tourism and economic growth opportunities.

To promote effective water use management, traditional land use planning techniques can be applied to the water surface in the following manner:

- ▶ If warranted, various water use zones will be established for uses such as docks, moorings, navigational channels, turning basins, and any special recreational areas (bathing, water skiing, personal water craft, etc.);

To assure safety, vessel speed zones can be established and zones for bathing, water skiing, and other recreational uses will be located away from marinas or commercial boating facilities;

- ▶ Marinas, in-water structures, and surface water uses will not encroach upon navigation channels;
- ▶ Only water-dependent uses will be allowed on or over surface waters;
- ▶ The establishment of future water use zones and the siting of in-water structures will be done in a manner which minimizes potential damage to sensitive resources such as

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wetlands and fish and wildlife inhabitants.

Policy 11. Promote the sustainable use of fish and wildlife resources.

The Hudson and Mohawk Rivers and Erie and Champlain Canals support abundant and diverse warm water fish populations. Sensitive habitats within Waterford's waterfront revitalization area exist at Peebles Island and in NYS designated wetland areas (see [wetlands map](#)). These areas will be protected from environmental degradation.

See policy guidelines in Policy 11 for additional guidelines.

11.1 Ensure the long-term maintenance and health of fishing resources in the waters of the Hudson River, Mohawk River and Erie Canal.

Projects that permanently and/or significantly create increased sedimentation, erosion or toxic discharge into the Hudson River, Mohawk River or Erie Canal will not be undertaken. Activities that introduce hazardous wastes or other pollutants in the WRA will be prohibited. Additionally, actions that could harm fish or wildlife populations will not be undertaken.

Policy 11.2 below relates to waterfront access and the need to protect fish and wildlife resources as part of any project that promotes recreational uses of fish and wildlife resources.

11.2 Promote recreational use of the environs of the Hudson River, Mohawk River and Erie Canal.

The direct public use of the Hudson and Mohawk Rivers and the Erie and Champlain Canals provides recreational and tourism benefits that will continue to be significant to Waterford in the years ahead. Opportunities for fishing and boating will be promoted where appropriate. Hiking, walking and biking will be encouraged and better promoted

along the existing formal and informal trail system and trail segments established in the future. These activities will be enhanced through the creation of trail maps showing the location of other trail segments and sites as well as the installation of interpretive signage at key locations along the trails. Efforts will also be made to develop linkages between trail segments and the waterfront, Broad Street central business district, and other areas.

Recreational uses of fish and wildlife resources include not only consumptive uses, such as fishing and hunting, but also non-consumptive uses such as wildlife and landscape photography, bird-watching and nature study. The future northern extension of the Champlain Canal Trail and the development of the Cohoes Falls Trail, Upper Mohawk Trail, Waterford Flight Trail, and connections between trail segments and amenities will

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create access to areas that are inhabited by wildlife or that have historical, cultural or architectural significance along all of Waterford's waterways. The proposed trail (and related) projects are not expected to be of such magnitude that fish and/or wildlife resources could be expected to be damaged. It is important that these projects be developed in ways that ensure the protection of natural, environmental, scenic, and historic and cultural resources.

Policy 12. Protect agricultural lands.

Not applicable. Assessment data provided by the Saratoga County RPS Office indicates that only one parcel in the LWRP Waterfront Revitalization Area (WRA) is classified as an agricultural use. This parcel is located along Fonda Road immediately north of the Niagara Mohawk power transmission line right-of-way.

Policy 13. Promote appropriate use and development of energy and mineral resources.

The intent of this policy is to foster the conservation of energy resources in the Town and Village of Waterford.

Policies and policy standards applicable to Policy 13 include the following:

13.1 Conserve energy resources.

The conservation of energy will be an important part of prudent future planning. Energy efficiency can be achieved through several means that fall into the jurisdictions of local governments, including:

- ▶ Promoting an increased use of public transportation to the maximum extent feasible, where practical;
- ▶ Integrating modes of transportation (pedestrian, bicycle, auto and waterborne);
- ▶ Promoting energy efficient design in new developments; and
- ▶ Promoting greater energy generating efficiency through upgrades of existing public facilities.

13.2 Consider energy use and environmental impact in the siting of major energy generating facilities.

The following standards shall be used to guide decision-making within the waterfront revitalization area when siting major new energy generating facilities:

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- ▶ Major energy generating facilities may be sited within the waterfront revitalization area where a clear public benefit is established using the following factors:
 - There is a demonstrated need for the facility;
 - The facility will satisfy additional electric capacity needs or electric system needs;
 - Alternative available methods of power generation and alternative sources of energy cannot reasonably meet the public need;
 - Upgrades of existing facilities cannot reasonably meet the public need; and
 - The facility incorporates feasible public recreational uses.
- ▶ Site major energy generating facilities close to load centers to achieve maximum transmission efficiency.
- ▶ Avoid the degradation of waterfront resources by siting new energy generating and transmission facilities so they do not significantly adversely affect:
 - Wetlands;
 - Historic resources; and
 - Critical fish and wildlife habitats.

13.3 Minimize damage or pollution from fuel storage facilities.

The following standards were derived from New York State Environmental Conservation Law, Article 23, Title 17, and from Federal Safety Standards 40 CFR Part 193:

- ▶ Ensure that production, storage, and retention of petroleum products in the Town and Village of Waterford is done in accordance with State DEC regulations;
- ▶ Liquefied natural gas facilities must be safely sited and operated; and
- ▶ Natural resources must be protected by complying with local, county and State oil spill contingency plans.

13.4 Ensure that mining, excavation, and dredging do not cause an increase in erosion, and damage to natural resources, or degradation of visual resources.

This policy regulates mining, excavation and dredging activities in the waterfront revitalization activities of Waterford. Due to the disruptive nature of these activities and the environmental sensitivity of the area, caution must be exercised to ensure these activities do not adversely affect natural resources or disturb the human environment. The effect on visual resources is important since the waterfront area provides significant scenic views.

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No mining uses currently exist within the Waterford waterfront revitalization area, and mining is considered an inappropriate use in the waterfront revitalization area.

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal, and meeting other waterfront management needs. Dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important waterway resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation, and proper siting of the dredge spoil disposal site. Dredging permits will be granted by the State if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25, and 34).

New York State is responsible for the periodic dredging of canal system waterways. Most often within the waterfront revitalization area, dredging is required within the Waterford Flight (from the Hudson River to the top of the Flight at Lock 6, and this, as well as dredging in the Hudson River will only be undertaken by the State when needed and in accordance with the highest environmental protection standards.

Section IV Proposed Land & Water Uses & Projects

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Section IV Proposed Land & Water Uses & Projects

This section consists of a future-oriented land and water use plan designed to translate the policies of the local waterfront revitalization program into actions and projects which will effectively draw upon or positively modify existing waterfront and land side resources to stimulate waterfront and downtown revitalization as well as facilitate local and regional heritage tourism goals. The land and water use plan and projects outlined here are based on an analysis of opportunities and constraints related to development; the waterfront revitalization policies presented in Section III; and the wide range of existing and ongoing projects articulated in other recently completed plans and grant applications.

Implementation of projects outlined below will most likely require intermunicipal cooperation as well as the formation of partnerships with the NYS Canal Corporation, NYS Department of Transportation, NYS Office of Parks, Recreation and Historic Preservation, private property owners and others.

Plans consulted in the preparation of this section included the:

- ▶ NYS Canal Recreationway Plan
- ▶ Eastern Gateway Canal Regional Plan
- ▶ Pending NYS EPF and Clean Water/Clean Air Bond Act Grant Applications
- ▶ Mohawk Valley Heritage Area Management Plan
- ▶ RiverSpark Heritage Area Management Plan
- ▶ Champlain Canal Byway Draft Enhancement Plan

Additional information was obtained in telephone consultations with municipal staff, waterfront advisory committee members and elected officials involved in the planning process. Every effort has been made to identify ongoing and planned projects as well as projects that address critical development deficiencies or gaps.

This section includes projects and actions designed to enhance the entire waterfront revitalization area, as well as projects for specific sub-areas. It begins with projects focused on the entire waterfront, then focuses on projects in the sub-areas of the Town and Village of Waterford (see [Proposed Uses and Projects Map](#)). Each sub-area description includes a description of proposed land uses, proposed water uses and proposed projects. All actions prescribed in this section are designed to complement and support goals and actions set forth in the draft Comprehensive Plan.

Section IV Proposed Land & Water Uses & Projects

Town & Village of Waterford Local Waterfront Revitalization Program

Within the context of the Local Waterfront Revitalization Program, Comprehensive Plan and other recently completed state and local planning documents, the major goals of the uses and projects are to:

- ▶ Improve the overall appearance of key commercial corridors and gateways into the Town and Village of Waterford to support local and regional downtown revitalization and heritage tourism goals;
- ▶ Strengthen and enhance linkages between the Battery waterfront, Broad Street commercial district, Waterford Flight, Cohoes Falls, Peebles Island State Park, the Champlain Canal Trail, and the Northside Historic District;
- ▶ Continue expanding and enhancing public access to the waterfront through completion of a waterfront and recreational trail network and improve interpretation and promotion of environmental and cultural resources; and,
- ▶ Continue downtown revitalization efforts through additional facade and streetscape improvements.

Town of Waterford

Hudson River Road Sub-Area

The Hudson River Road Sub-Area contains that portion of the waterfront revitalization area generally bounded by Town of Waterford's northern boundary with Halfmoon, the Hudson River to the east, the old Champlain Canal to the west, and the village of Waterford's northern boundary to the south.

This sub-area was established to contain the predominantly industrial and manufacturing uses in this section of the town, as well as the 100- and 500-year flood zones that are located in the southern half of the sub-area. Approximately half the land in this sub-area, particularly in the areas east of Hudson River Road and north and south of the Niagara Mohawk power transmission line right-of-way, falls within the 100- or 500-year flood plain.

This sub-area includes the majority of land used for industrial purposes within the Town. Although all of the Town's Hudson River shoreline is included in this sub-area, there are only two publicly-owned parcels with potential for providing public access to the river. In addition to being landlocked, the location of these parcels in an area that is generally in heavy industrial use, makes future recreational use unlikely, or at least of lesser priority than recreational development

elsewhere in the Town and Village. The Champlain Canal corridor, and the extension of the Champlain Canal Trail from the Village of Waterford to Halfmoon and Mechanicville, represents the best opportunity for public access and recreational development in this sub-area.

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Since General Electric (now Momentive) had been actively purchasing land on both sides of Route 4/32 (Hudson River Road) in this sub-area, and the Town's greatest concentration of industrial and commercial uses is located here, long-term goals should focus on continuing to concentrate industrial and complementary commercial uses in this sub-area as well as implementing enhancements to the Route 4/32 corridor that will assist in making it the southern entrance to the Champlain Canal Scenic Byway and the northern gateway to the Village.

The variety of uses permitted under the existing zoning ordinance includes various truck terminals, generally non-hazardous light industrial uses, and non-intrusive land conservation uses, with residential uses allowed in concentrated areas at the north and south ends of the sub-area and commercial uses concentrated on the east side of Route 4/32 (Hudson River Road) south of Bell's Lane. Under the Town's existing zoning ordinance, wetland areas along the Hudson River shoreline (including the NYS-owned parcel referred to above) as well as approximately half of the Champlain Canal corridor are protected as land conservation districts. While existing zoning regulations seem adequate to maintain the character of this sub-area, additional standards, such as those articulated in the Champlain Canal Scenic Byway Study, are recommended to enhance this corridor and provide better directional and interpretive signage to recreational, environmental, and cultural resources in Waterford and the region.

Development goals in this sub-area include concentrating new or expanded industrial uses in this sub-area to the greatest extent possible; establishing the Route 4/32 corridor as the Town and Village of Waterford's northern gateway; working with existing industries and businesses to improve the visual appearance and functionality of the Route 4/32 corridor; and expanding and enhancing recreational opportunities afforded by the Champlain Canal corridor.

Proposed Land Uses

Because of the overall stability of land uses in this sub-area and the prevalence of land in private ownership, no major changes in land use are proposed. However, the unrestored portion of the former Champlain Canal represents an excellent opportunity for additional trail development (in collaboration with Halfmoon and Mechanicville). In the long-term, the NYS-owned Hudson River shoreline parcels may also offer opportunities for expanded public access to the Hudson River.

In addition, the likely designation of Route 4/32 as the Champlain Canal Byway, a NYS Scenic Byway, will increase the importance of making enhancements and establishing linkages between local and regional attractions, services and amenities along the length of the

corridor. All improvements should therefore be designed to complement existing amenities, to take advantage of waterfront and corridor locations whenever possible, and to contribute in some way to the overall interpretation and experience of residents and visitors in Waterford.

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Proposed Water Uses

Existing water uses are almost exclusively seasonal recreational and consist mainly of the northern end of the Champlain Canalway Trail and seasonal docks along Hudson River Road. No new water uses are proposed.

Proposed Projects

- ▶ **Northern Gateway Improvements:** This project involves design, signage and streetscape improvements that will help establish Route 4/32 (Hudson River Road) as the northern gateway to the Town and Village of Waterford and Hudson-Mohawk Region, as well as the southern entrance to the Champlain Canal Byway. Directional or interpretive signage must comply with guidelines that are set out in the U.S. Department of Transportation's manual of Uniform Traffic Control Devices. The NYS Department of Transportation should be consulted for implementation assistance and possible funding.
- ▶ **Champlain Canal Trail Extension:** This project involves extending the Champlain Canal Trail from the Village of Waterford's northern boundary to the Town of Waterford's border with Halfmoon. It will likely require collaboration between the Town and Village of Waterford, NYS Canal Corporation, private property owners adjoining the canal corridor and others. The trail extension should follow the design standards established by the NYS Canal Corporation, merely extending the existing trail through the northeastern portion of the Town.

Upper Mohawk/North Waterford Flight Sub-Area

The Upper Mohawk/Waterford Flight Sub-Area includes all the waterfront area generally bounded by the Town's northern line and an arbitrary parallel line 500' north of Flight Lock Road's centerline; an arbitrary parallel line 500' inland from the Mohawk River shoreline; the centerline of the Mohawk River (the Town's boundary with Cohoes); and the village's western boundary at Flight Lock Road. The sub-area contains much of the Mohawk River shoreline above Cohoes Falls and the northern shoreline of the Waterford Flight.

Although most of the land in this shoreline sub-area is within a land conservation district, several small areas are occupied by residential uses which abut protected NYS Canal Corporation land along the northern shore of the Waterford Flight. These residential areas consist of parcels located along Fonda and Flight Lock Roads as well as portions of the Riverbend and Mallards Landing subdivisions (which include shoreline land conservation buffers).

Under the existing zoning ordinance, regulation of land use in this sub-area is adequate. Uses allowed by right under the R-100 residential district are generally consistent with the existing and desired character of the Waterford Flight corridor. When granting special permits in this area, the Town should ensure that every effort is made to maintain the scenic qualities of the

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Waterford Flight corridor and to maintain public access to the Flight and its recreational assets. New uses allowed by special permit should therefore include provisions for adequate buffering or screening, parking located at the rear of parcels (not on Flight Lock Road) and compact signage. Most of the land in this sub-area is protected by a land conservation district, which generally restricts development to agricultural or recreational uses. As shown on the Town's [existing zoning map](#), the width of the land conservation district varies. To achieve waterfront revitalization goals, the width of this district should be maintained at 500' from the water's edge.

Development goals in this sub-area are fairly modest and focus largely on expanding and enhancing existing recreational assets, maintaining neighborhood character and stability, and protecting the Waterford Flight and Mohawk River viewshed to the greatest extent possible. Development of formal pedestrian trails may require negotiation of easements with private property owners, although the Mohawk River shoreline and Flight Lock Road are currently in extensive use by pedestrians.

Proposed Land Uses

Because land uses in this sub-area generally appear to be stable and much of the shoreline land is owned by the NYS Canal Corporation and/or protected under the Town's existing zoning ordinance, no major changes in land use are proposed.

Proposed Water Uses

Existing water uses are both water-dependent and water-related and include the Waterford Flight and the NYS Boat Launch locally known as Alcathy's Marina. Proposed water uses mainly involve enhancements of existing uses. Likely improvements include development of a Waterford Flight Trail on land owned by the NYS Canal Corporation along Flight Lock Road; improvements (landscaping, lighting, other amenities) at the NYS boat launch; and extension of the proposed Cohoes Falls Trail and Waterford Flight Trail northward along the Mohawk River shoreline into the Town of Halfmoon.

Proposed Projects

- ▶ ***Pedestrian Trail and Park Enhancements:*** This project involves development of a 12'-0" wide pedestrian trail segment along the Waterford Flight from Lock 2 to the Mohawk River at Lock 6. The trail will be designed to comply with development guidelines created by the NYS Canal Corporation, will resemble the existing Champlain Canal Trail and will include installation of interpretive signage, trail markers, picnic and/or seating areas, landscaping in selected areas, trail paving, and striping.
- ▶ ***Northern Mohawk River Trail (Waterford-Halfmoon):*** This project involves creation of a 12'-0" wide waterfront pedestrian trail along the Mohawk River shoreline from the NYS Boat Launch (Alcathy's) above Lock 6 to Waterford's northern boundary with the Town of

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Halfmoon. The trail would be designed to comply with development guidelines created by the NYS Canal Corporation. It would resemble the existing Champlain Canal Trail and would include installation of interpretive signage, trail markers, picnic and/or seating areas, landscaping in selected areas, paving, lighting and striping. The NYS Boat Launch (formerly Alcahy's) would serve as a trail head for trail segments in both directions, as well as an interpretive and recreational node within the area's trail network.

- ▶ ***NYS Boat Launch (Alcahy's) Enhancement Project:*** This project involves land and water side improvements to the boat launch site including landscaping, addition of site lighting, seating and additional picnic facilities, and may include addition of a seasonal refreshment and supply facility. The project would establish the boat launch as the trail head for the Mohawk River Trail.

Saratoga Avenue/Northside Historic District Sub-Area

This sub-area is generally bounded by the village's southern boundary; the CSX railroad tracks located to the west of Saratoga Avenue; the Town's southern boundary with Cohoes; and the Mohawk River. This sub-area is designed to encompass the National and State Register-listed Northside Historic District.

The Saratoga Avenue corridor offers nearly direct access to I-787. Although most of this sub-area is in residential use, the southern end of Saratoga Avenue is an important commercial area within the Town and represents the Town's and Village's southern gateway from Cohoes. Recreational and industrial uses exist to a lesser extent and are generally located to the east of Saratoga Avenue. The historic character and architectural integrity of many buildings in the Northside Historic District have been substantially compromised or eroded through later alterations and additions. The Waterford Historical Museum, Champlain Canal Trail and Waterford Rural Cemetery represent important cultural and recreational attractions, but they are somewhat hidden in this densely developed area. Existing signage posted by neighborhood residents on Museum Lane is less than welcoming and is somewhat intimidating. Making these attractions more accessible and giving them a higher profile would be significant improvements here. Relatively high speed truck and auto traffic threatens pedestrians and detracts from overall quality of life in this sub-area. In addition, nearly all the land east of the Champlain Canal lies within the 100-year floodplain, imposing constraints on many types of development.

This sub-area includes residential, commercial and land conservation zoning districts. Under the existing zoning ordinance, which is generally adequate, allowed uses are appropriate to the district and special use permits are required for uses that have the potential to negatively impact surrounding neighborhood character.

Development goals include improving the overall appearance, pedestrian safety and effectiveness of Saratoga Avenue as the Town's southern gateway and commercial corridor. The Waterford Historical Museum site should be improved (including landscaping and removal

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of hostile signs on private property leading to the museum) and the museum itself should be clearly identified as the southern anchor of the Champlain Canal Trail. The Town of Waterford and City of Cohoes will need to work together to protect the Mohawk River viewshed in this area and to redevelop underutilized sites in this area. Underutilized or vacant land, such as the former Barrel Factory site and former gas station site, should be redeveloped in a way that maintains existing neighborhood character and supports commercial uses.

Proposed Land Uses

Because of the overall stability of land in this sub-area, the fact that recreational amenities exist, and the limited amount of underutilized or vacant land, no land use changes are proposed in this sub-area. Underutilized or vacant land should be redeveloped for residential or commercial uses appropriate to the existing neighborhood character. Future enhancements should include facade and streetscape improvement; better directional, wayfinding and related signage; and better identification of the Waterford Historical Museum as the southern terminus of the Champlain Canal Trail.

Proposed Water Uses

The water-related Champlain Canal Trail is the only water use currently in this sub-area. Since nearly all land in this sub-area is privately owned and developed, no new water uses are proposed.

Proposed Projects

- ▶ ***Saratoga Avenue Facade and Streetscape Improvement:*** This project would focus on both sides of Saratoga Avenue as well as other key streets in the Northside Historic District such as Museum Lane and Canal Street. Its nucleus would be incentives to encourage facade improvement based on design guidelines created as part of the project. Other project elements would be traffic calming and beautification actions such as widening sidewalk and median areas, developing curb bump-outs at corners, using different paving material or pavement print at crosswalks and intersections, antique lighting and banners, street trees, street furniture and directional signage for key services and attractions in the Town and Village.
- ▶ ***Southern Gateway Improvements:*** Saratoga Avenue, which extends northward into the Town of Waterford from the Cohoes-Waterford Bridge, is the Town's southern gateway from Cohoes and I-787. Improvements are needed to make this area more visually appealing, to slow traffic down to the greatest extent possible and make the corridor more pedestrian friendly, to provide a stronger physical connection with the Broad Street commercial corridor, and to provide stronger and more visible linkages to the Mohawk River/Cohoes Falls Trail, Champlain Canal Trail, and Waterford Historical Museum.

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Project elements should include streetscape improvements (see preceding project) and additional signage.

- ▶ ***Waterford Historical Museum Area Improvements:*** This project includes working with existing private property owners to remove negative signage and installation of signage and streetscape improvements designed to create a more visitor-friendly entrance to the Waterford Historical Museum and the southern end of the Champlain Canal trail. Both sites should be better connected to Saratoga Avenue. Related Champlain Canal Trailhead Improvements should include installation of interpretive signage at southern terminus of Champlain Canal related to: five islands, Champlain Canal, “Mill Owners Row,” King’s Power Canal, industries formerly located in this area (and/or other appropriate industrial archaeology themes).
- ▶ ***Redevelopment of Underutilized/Vacant Sites:*** There are at least two underutilized and/or vacant sites in this sub-area: the site of a former barrel factory and the highway oil parcel. Although both sites have been cleaned up to some extent, environmental issues are still a concern and represent an obstacle to redevelopment. One possibility for the barrel site would be to create a parking lot and interpretive area related to the Champlain Canal Trail and Northside Historic District, with interpretive signage continuing the themes identified in the preceding project discussion.
- ▶ ***Inn & Restaurant at the Point:*** Canal Corridor Initiative incentives, including \$3,000,000 in low-interest loan funds, exist for the development of the Inn & Restaurant at the Point on a 1.7-acre parcel on Mohawk Avenue. The inn would include guest rooms, restaurant facilities, a harbor overlook, conference/banquet facilities, parking and float-up docks.
- ▶ ***Reuse/redevelopment of Ursula of Switzerland (Ormsby-Laughlin Textile Mill):*** Ursula of Switzerland, which currently owns and occupies the former Ormsby-Laughlin Textile Mill, is interested in selling the building to the Town. This project would involve a collaborative effort between the Town and Ursula to review Ursula’s business needs as well as potential reuse/redevelopment opportunities that might allow Ursula to use a portion of the building and lease space to others.

Lower Mohawk/South Waterford Flight Sub-Area

This sub-area is located on the south side of the Waterford Flight and is generally bounded by the village’s western boundary to the east; an arbitrary line 500’ feet south of, and parallel to, the Flight’s centerline extended to the Niagara Mohawk power line right-of-way (ROW) and including Waterford Rural Cemetery; the power line ROW south to an arbitrary line 500’ north of, and parallel to, the centerline of the Mohawk River; and the CSX Railroad right-of-way to the west of the rear property lines of parcels located on Saratoga Avenue. This sub-area is designed to encompass much of the land in the minimally developed, roughly

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triangular area between the Waterford Flight, Mohawk River, the Niagara Mohawk power transmission line right-of-way, Waterford Rural Cemetery, and Mountainview Avenue. It excludes the predominantly residential areas of Northside and the Sugar Loaf Pond areas.

Open space along and above the Mohawk River and Cohoes Falls is owned by a small number of private land owners. Areas around Mountainview and Hillview Streets are currently being developed within view of the existing informal footpath. The area south of the Mohawk River/Erie Canal “intersection” (Lock 6) is occupied by a number of small summer camps. Open space, river and canal viewsheds may be threatened in the future by development that does not reflect or recognize the importance of waterfront assets in this sub-area. While the Town need not oppose all development, it should advocate aggressively for development that will protect the Mohawk River and Erie Canal viewsheds, conserve open space to the greatest extent possible and allow public access to waterfront areas. The Town should also work with Niagara Mohawk and other private land owners to provide formal trail access.

This sub-area is relatively stable and is occupied mainly by residential uses, including permanent and seasonal housing. A number of private summer residential camps are located along the Mohawk River shoreline between the Cohoes Falls and the Waterford Flight. Current recreational uses include Clement Park, Lock 6 of Waterford Flight, and, informally, a footpath along the Mohawk River south of the Cohoes Falls.

Although it is protected to some degree by constraints such as steep slopes and soil limitations, most of this area is currently zoned R-100 residential and may continue to be developed for new residential uses designed to take advantage of scenic views of the Mohawk River and Cohoes’ Harmony Mills buildings. The south shoreline of the Waterford Flight and a portion of the land south of the flight and along the Mohawk is protected by a land conservation district.

Proposed Land Uses

No major changes in land use are proposed. The projects identified below are intended mainly to improve and enhance existing water-dependent and water-related assets. Development of a formal pedestrian trail from Clement Park north to the Waterford Flight along the Mohawk River shoreline may require the Town to negotiate easements with private landowners and Niagara Mohawk. Clement Park would be enhanced by the development of formal trail heads providing access to a Cohoes Falls Trail. Interpretive signage related to the Cohoes Falls and Harmony Mills complex would also be installed.

Proposed Water Uses

Existing water uses include the water-dependent Waterford Flight of Locks, and the water-related Lock 6 Park, informal Mohawk River/Cohoes Falls shoreline footpath, and

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Clement Park. The only change in use involves creation of a formal trail from the Clement Park vicinity along the Mohawk River shoreline to the Waterford Flight.

Proposed Projects

- ▶ ***Cohoes Falls Trail:*** This project involves the conversion of an informal but well-used footpath along the Mohawk River shoreline to a formal pedestrian trail. The existing Clement Park would become the formal entrance to the trail, with trail heads located on the west, north and south sides of the park. The trail should include directional and interpretive signage, viewing platforms and seating. Interpretive signage could provide information about a wide range of subjects, including the Cohoes Falls, power generation, and industrial archeology of Waterford and Cohoes.

- ▶ ***Waterford Flight Trail (South) and Park Enhancements:*** This project involves improvements to the road on the south side of Waterford Flight, landscaping and selective brush clearing, directional and interpretive signage, and similar improvements.

- ▶ ***Clement Park Overlook Enhancements:*** This project includes formal designation of Clement Park as the entrance to the proposed Cohoes Falls Trail. Required actions include selective brush clearing to open the view from the park across the Mohawk River to the Cohoes mills, development of formal trail heads at the north, south and west sides of the park, and installation of directional and interpretive signage explaining the importance of the Cohoes Falls and the history of industry in this area. Signage should include maps showing the trail route, interconnected town-wide trail routes, and information on similar trails and heritage tourism destinations throughout the Capital Region (particularly RiverSpark Heritage Area attractions).

- ▶ ***Erie Canal Lock 6 Park Improvements:*** This project involves restoration of the Lock 6 Powerhouse into an Erie Canal-related maritime museum or interpretive center as well as additional enhancements to the park. The park would receive interpretive and directional signage, become a trail head along the Mohawk River Trail, and become an activity node within Waterford's network of trails.

Five Islands Sub-Area

This sub-area includes Peebles Island, Bock Island, Second Island, Goat Island and Polrump Island, as well as the Mohawk and Hudson Rivers within the Town of Waterford. Peebles Island is a state park owned by the NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP), whose state headquarters are located here, as are the offices of the National Park Service Erie Canalway National Heritage Corridor. With the exception of these agency offices, which are located in the historic Cluett Peabody Bleach Works, the

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island is used exclusively for recreational purposes. Access to the park is via the North Bridge from Waterford, and by Ontario Street (NY 470) and Delaware Street, in Cohoes. NYS also owns Polrump and Goat Islands.

With the exception of the northern third of Peebles Island, this sub-area is protected as a land conservation district in the Town of Waterford's zoning ordinance. The northern end of the island is in a manufacturing district, reflecting uses which no longer exist. The zoning ordinance should be amended to reflect current uses and make allowances for future uses based on the Peebles Island Management Plan prepared by NYS OPRHP. The eastern third of the island lies within the floodway area, 100-year floodplain or 500-year floodplain, with portions of the northern end and western shoreline of the island falling within the floodway as defined by FEMA FIRM maps.

Development goals in this sub-area are to establish Peebles Island as a high quality state park with the full range of services and attractions articulated in NYS OPRHP and RiverSpark Heritage Area Management Plans. The Town and Village of Waterford should work with NYS OPRHP to establish the island as a formal gateway to Waterford. At a minimum, improvements should include installation of directional and interpretive signage to familiarize park visitors with the attractions, amenities and services available in Waterford. Planning documents dating from the 1960s-1980s also recommend development of one or more pedestrian bridges to link Peebles Island to other islands and, possibly, the Waterford Historical Museum.

Proposed Land Uses

No major changes in land use are proposed. Recommended enhancements include installation of directional and interpretive signage to encourage park users to visit Waterford and familiarize them with the area.

Proposed Water Uses

No new water-dependent or water-related uses are proposed.

Proposed Projects

- ▶ ***Installation of directional and interpretive signage:*** Directional signage should point the way to Waterford or to specific amenities within Waterford (such as the Broad Street commercial district or the Waterford Visitor Center). Additional signage and brochures could be created to show the location of trails, historic resources, heritage area attractions, and shops in Waterford and the region. Additional interpretive signage should focus on the historical significance of Waterford, the canal, and the island. Interpretive themes could focus on Native American, Dutch, and English inhabitation of the area; Revolutionary War

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fortifications and actions; industrial archeology; and related themes. Regardless of which themes are selected, the Town, Village and NYS OPRHP should coordinate their efforts to ensure that all interpretive areas complement one another.

- ▶ *Support for Matton Shipyard rehabilitation*
- ▶ *Support for trailway to Green Island*
- ▶ *Enhancement for Peebles Island Visitors' Center*

Village of Waterford

Northern Village Sub-Area

This sub-area is generally bounded by the Hudson River; the village's northern boundary with the town; Eighth Street and Division Street and encompasses the predominantly residential area north of the Broad Street commercial district.

This sub-area is generally in residential use, although several commercial establishments are located on Second and Third Streets just north of Division Street. Recreational assets include the Butler Park; Fourth Street Park and the Waterford Town Pool; the Champlain Canal Trail; Eighth Street Playground/Geiger Park. Most buildings in the sub-area are part of the National and State Register-listed Waterford Village Historic District, which is also protected by local historic preservation ordinances as described in the inventory and analysis section above. Buildings located on Columbia and State Streets are not included in the Waterford Village Historic District but may be eligible for National Register listing and local protection. Except for the small commercial area described above, the sub-area is zoned residential.

Although most land along the Hudson River shoreline is in private ownership, the sub-area is bisected by the Champlain Canal Trail, which is protected as a land conservation district in the Village zoning ordinance. Nearly all the land to the east of the Champlain Canal lies within the 100-year floodplain, with a small portion of land along Fifth Street south of the railway right-of-way falling within the 500-year floodplain.

Development goals focus mainly on working with the Town to make this sub-area the northern gateway into the village. This includes installation of additional signage as well as building rehabilitation and streetscape improvements.

Proposed Land Uses

Since land uses in the sub-area are generally stable, recreational assets are plentiful, and a trail has already been developed along the Champlain Canal, no new land uses or

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changes are proposed.

Proposed Water Uses

No new water uses or enhancements are proposed.

Proposed Projects

- ▶ ***Facade and Streetscape Improvement Project:*** See facade and streetscape descriptions above. Streetscape improvements should be designed to make Second and Third Street the Village's northern gateway and should be coordinated with similar improvements along the Route 4/32 (Hudson River Road) corridor.
- ▶ ***Building Rehabilitation Program:*** This project would provide incentives for property owners to rehabilitate buildings within the Waterford Village and Northside Historic Districts. Rehabilitation work would have to be done in accordance with established design guidelines to restore their architectural character. Building improvements would be part of the Town's and Village's efforts to better position themselves as a heritage tourism destination.
- ▶ ***Champlain Canal Lock 5 Restoration:*** This project involves restoration of one of the original locks of the Champlain Canal as well as brush clearing and cleanup. Its purpose would be to establish an interpretive and activity node along the Champlain Canal Trail.

Broad Street Commercial Sub-Area

This sub-area is generally bounded by Division Street; the Hudson River; Eighth Street; and Middle Street (including portions of streets to the north and south of Broad Street). It encompasses the village's commercial district. Most residential and commercial buildings are part of the National and State Register-listed Waterford Village Historic District.

Although this sub-area is predominantly commercial, residential and recreational uses define the eastern end of the Broad Street corridor. Residences are also located in the street segments between Broad and Division and Broad and Middle. With the exception of the eastern end of Broad Street and properties on the north side of Middle Street, land in the sub-area is zoned for commercial uses. Although the Broad Street commercial corridor benefitted from a mid-1980s facade improvement program, recent streetscape improvements, and several new businesses, it still projects a less than positive appearance to residents and visitors. Additional improvements, as well as neighborhood- and visitor-oriented commercial establishments are needed. Nearly all the land in this sub-area is located within the 100-year floodplain, with small pockets of land within the 500-year floodplain.

Development goals include reestablishing Broad Street as the commercial hub of Waterford

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and strengthening connections between the commercial district, Battery waterfront and other resources such as the Waterford Flight. This will occur through completion of facade and streetscape improvements, business retention and recruitment efforts, creation of more efficient parking systems and similar efforts.

Proposed Land Uses

No changes in land use are proposed.

Proposed Water Uses

No changes in water use are proposed.

Proposed Projects

- ▶ ***Facade and Streetscape Improvement Program:*** This project will target commercial property (and tenants with owner's permission) located within the sub-area (and other key areas of the village). Facade improvements will be carried out in accordance with design standards developed for the improvement program and would be in compliance with the Secretary of Interior's standards for rehabilitation. Streetscape improvements will include sidewalk repair or replacement; installation of curb bump outs, installation of directional and interpretive signage; decorative paving, lighting, and in the longer-term, underground burial of utilities. The focus of this program will be to make key travel corridors within the village more appealing to residents and visitors. Likely streets to be included in the program are Broad Street from the Hudson River to Eighth Street; Second Street throughout the village, Third Street throughout the village, Fourth Street south of Broad, and Saratoga Avenue in the town and village. Additional signage and other methods will be used to direct visitors from waterfront areas to Broad Street and vice-versa. The program will include incentives such as grants and low-interest loans to encourage building owners to make improvements.
- ▶ ***Parking Study and Implementation:*** The need for additional parking was identified in field surveys, advisory committee meetings, and community visioning sessions. Additional work is needed to determine how to best manage and expand parking opportunities in the largely built-out village, and to develop a parking implementation strategy with property owners. Possible strategies may include creation of additional off-street parking to the rear of Broad Street, alley parking, shared parking arrangements, and other techniques.

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Southern Village Sub-Area

This sub-area includes all the area bounded by the Hudson River, Middle Street, the Erie Canal, the Champlain Canal, and the village's southern boundaries, encompassing the primarily residential portion of the village between the Battery waterfront as well as the area along Saratoga Avenue between the northern portion of the village and the Northside area of the Town of Waterford. Although the entire sub-area is zoned residential, the character of the area is changing as the town, village and state agencies work together to establish Waterford as the easternmost of seven canal harbors in the NYS Canal System.

Recently completed improvements include the Waterford Visitor Center, waterfront promenade (the "Battery") and a boat launch at the confluence of the Hudson and Mohawk Rivers. In addition, the Fourth Street bridge, which connects the northern and southern portions of the village, was repaired and reopened in 2000 and the Peebles Island (North) Bridge was repaired and reopened in 2003. Although these improvements have had a dramatically positive effect on the village, additional enhancements, such as strengthening the connection between the waterfront and the Broad Street commercial areas are still needed and will involve multiple LWRP sub-areas.

The sub-area is almost completely built out, with little land available for new development, small residential buildings on small lots, and narrow streets crowded with parked cars. Almost the entire northern portion of this sub-area is located within the 100-year floodplain. Buildings within the sub-area are frequently flooded, imposing constraints on state- and federally-funded new construction as well as building maintenance by property owners. The Town is currently preparing a Flood Hazard Mitigation plan with state and federal agencies to alleviate flooding (see below). The sub-area also falls within the NYS OPRHP Peebles Island State Park viewshed.

Proposed Land Uses

Because of the overall stability of land uses in this sub-area, no major changes are proposed. However, the Town and Village should continue to focus improvement and enhancement efforts on strengthening the connections between the waterfront and downtown areas, developing an interconnected set of waterfront recreational trails as described throughout this document, resolving on-street parking issues, and promoting all assets to residents and visitors. Particular attention should be given to establishing Second, Third and Tugboat Alley as pedestrian corridors between the waterfront and downtown commercial area through the implementation of streetscape improvements and additional directional signage.

Proposed Water Uses

This sub-area already has numerous water-dependent and water-related uses such as the

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waterfront promenade along the Battery, the boat launch at the confluence of the Hudson and Mohawk Rivers, the visitor center, Lock 2 Park, and Lock 2 itself. As a result, no new water uses are proposed.

Proposed Projects

- ▶ ***Peebles Island Gateway Improvements:*** *This project involves the installation of formal directional and interpretive signage along Second Street between Broad Street and the waterfront as well as at the entrance to the bridge itself. Signage should direct visitors to the bridge, the village’s waterfront amenities, and Peebles Island State Park. Signage in the vicinity of the bridge itself should explain the historical significance of the island and give some information on park facilities*
- ▶ ***Welcome Center Improvements:*** *This project includes the painting of ceiling murals and placement of wall graphics on the second floor of the new visitor center to enhance visitor experience by illustrating themes related to the development of the Erie and Champlain canals as well as other themes. The project is part of the town’s long-term vision for the visitor center and would enhance expansion of interpretive efforts throughout the village and Peebles Island State Park. Additional improvements would include development of a wooden “jungle-gym” replica of a canal lock or boat for children. This facility would be located in one of the street-end park spaces along the waterfront promenade.*
- ▶ ***Welcome Center/Waterford Museum Visitor Services Program:*** *This project involves welcome center staff plus additional paid or volunteer “visitor service specialists” working on a seasonal basis. Using the visitor center and Waterford Historical Museum as bases of operation, they would “rove” the waterfront and village along streets and pedestrian trails, greeting visitors, directing visitors to other sites and services in the area, answering questions, and providing “on-the-spot” interpretation. They would hand out maps, brochures and coupons for local businesses, etc. This program is based on programs typically established at historic house museums and could be overseen by visitor center staff or museum staff, with labor provided by high school and college students interested in history and community service.*
- ▶ ***Flood Hazard Mitigation:*** *The purpose of this project is to alleviate regular property damage produced by annual spring flooding along the Mohawk River shoreline in the Village. It will result in the construction of flood mitigation structures that will likely include a series of linear earthen berms and concrete barriers to separate residential properties from the shores of the Mohawk and Hudson Rivers. Temporary concrete barriers will be installed annually at the southernmost sections of First, Third and South Streets at the foot of several alleys that access the shoreline in the Village. These structures will be designed and placed to provide a seasonal protective barrier from flood waters and will serve to eliminate damage from the most frequent levels of flooding.*

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The Town and Village of Waterford have several tools with which to implement the LWRP. The following pages briefly describe existing implementation mechanisms, and list additional mechanisms appropriate for realization of local waterfront policy objectives.

A. Local Laws and Regulations Necessary to Implement the Local Waterfront Revitalization Program

Existing Local Laws and Regulations

1. Zoning Law (Town & Village)

Town: The Town of Waterford's Zoning Ordinance was adopted in 1998. It divides the Town into nine zoning districts including three residential districts increasing in density (R-75, R-100 and Rural Residential), three commercial districts increasing in density (C-1, C-2 and C-3), and a manufacturing district (M-1), industrial district (M-2), and land conservation district (L-C). Although regulation relating to Rural-Residential this district is described in the Zoning Ordinance, the official zoning map does not show the Rural Residential district.

Most of the Town's Hudson River, Champlain Canal, and Erie Canal (Waterford Flight) waterfront land lies within land conservation districts, with the depth of the district boundary varying from area to area approximately 10' to 500'. District use regulations for the L-C district are set forth in Article II, Section 161-16. The L-C districts are designed to "include those areas where substantial development of the land in the way of buildings or structures is not desirable because of:

- special or unusual conditions of topography, drainage, floodplain or other natural conditions, whereby considerable damage to buildings or structures and possible losses of life may occur due to the process of nature, or the lack of proper public facilities or improvements results in land not being suitable for development at the present time, and where such facilities or improvements must be undertaken on an area-wide rather than individual-parcel basis in order to serve adequately at a reasonable cost to the Town of Waterford.
- land which has characteristics that are non-urban in their development, such as cemeteries and lands in the Barge Canal System."

Permitted uses in L-C districts include farms or other agricultural operations, including woodland and reforestation areas, nurseries, greenhouses and usual farm accessory

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buildings, not including dwellings or buildings housing farm animals or fowl; parks, playgrounds, athletic fields, golf courses, riding academies, game preserves and other similar uses, including usual accessory buildings; municipal or public utility buildings or structures; cemeteries; and New York State Barge Canal uses. No uses are allowed by special permit.

Except for the north end of Peebles Island, nearly all other waterfront lands in the Town of Waterford, including Mohawk River waterfront land south of the Waterford Flight, lie within R-100 residential districts. District use regulations for the R-100 districts are delineated in Article II, Section 161-12. Permitted uses are the same as those listed under R-75 above. Special permits are required for private recreation areas or use of land involving archery target practice; pitch and putt areas; mobile home parks; and individual mobile homes.

The minimum lot size requirement for the R-100 district is 15,000 square feet for single family homes and non-residential uses; a 10,000 square foot base plus 10,000 additional square feet for each dwelling unit within a two-family and multi-family structure; 250,000 square feet for mobile home parks; and 15,000 square feet for individual mobile homes.

Non-residential exceptions include farms, which have a minimum lot size of 5 acres, and churches and convents, which have minimum lot sizes of 40,000 SF. The setback specifications are a minimum of 40 feet for single family homes and non-residential uses, and 50 feet for two-family and multi-family homes. The height of buildings is restricted to 50 feet for all uses in this district. Additional supplemental regulations in Article V relate to specific structure and lot size requirements.

Village: The Village of Waterford's Zoning Ordinance was updated in 2000. It divides the Village into five zoning districts, including a Residence District; Residence S District; Residence M District; Senior Citizen Housing District; and Commercial District, all of which are outlined in Article III, §205-13 to 205-117. Area, bulk and height regulations are set forth in Article III, § 205-18, and performance standards for all districts are delineated in Article III, §205-13 through § 205-17.

The Village is densely built up in both waterfront and inland areas, with existing uses generally stable. Nearly all Hudson River, Champlain Canal and Erie Canal (Waterford Flight) waterfront land lies within Residential zoning districts. Exceptions include a small portion of Hudson River waterfront near the northern boundary of the Village which is zoned Residential M and a small area at the western end of Broad Street along the Champlain Canal which is zoned Commercial.

Permitted uses in Residential districts include one-family dwellings; two family dwellings; multifamily dwellings (not exceeding four units); churches and similar places

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of worship, parish house, rectory or convent; public or private schools; federal, state or municipal public buildings or uses; public parks or playgrounds; places of businesses of physicians, dentists, attorneys, and undertakers; private clubs or lodges, except those of which the chief activity is customarily carried on as a business; and accessory uses associated with permitted uses. Special permits are required for private nursery schools, hospitals, rooming and boarding houses or tourist homes, and parking lots.

Permitted uses in Residential M districts include all uses allowed in Residential districts as well as retail stores, businesses or professional offices, banks or studios; restaurants and other places serving food and beverages; personal service venues (barber, beauty parlor, tailor or shoe repair); social, recreational or fraternal lodge or club; commercial recreation; automatic or coin-operated laundry or dry cleaner; a planned unit development, including multifamily housing of more than four units; and some industrial or manufacturing uses.

Permitted uses in the Commercial district include retail store, business or professional office, bank or studio; theater or motion picture house; restaurant or other place serving food or beverage or cocktail lounge; printing office or newspaper office; bowling alley; personal service shop (barber, beauty parlor, tailor or shoe repair); automatic or coin-operated laundry or dry cleaner or pickup station; social, recreational or fraternal club or lodge; and related accessory uses. Special use permits are required for assembly or dance halls; commercial recreation venues; and residential dwellings not exceeding four units.

Signage regulations are included in the regulations for each district.

2. Flood Damage Prevention Law (Town and Village)

Flood damage prevention laws in the Town and Village of Waterford require permits for construction within flood hazard areas identified by the Federal Emergency Management Agency (FEMA). With such laws 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 laws also require subdivision proposals to be consistent with the need to minimize flood damage. The law is administered by the Town Building Inspector and the Village Zoning Inspector. Appeals may be made to the Town and Village Zoning Boards of Appeal.

Flood damage prevention laws in the Town and Village of Waterford require that in all areas of special flood hazard, the following standards are required: anchoring to prevent floatation, collapse or lateral movement; use of construction techniques and building materials in all buildings that minimize flood damage (such as elevation of lowest floor

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above flood plain); and design of utilities and related equipment to prevent water infiltration. With regard to the subdivision of land in flood prone areas, all actions must be implemented in ways that minimize potential flood damage, have adequate drainage, and provide base flood elevation data for site plan review. In areas for which no flood elevation data is available (unnumbered A zones), all proposed development is analyzed to determine effects on the flood-carrying capacity of the areas of special flood hazard. Permits are required for all building undertaken in areas of flood hazard.

3. Sewer Ordinance (Town)

The Town of Waterford's sewer ordinance regulates wastewater disposal procedures. These laws classify and regulate industrial and non-industrial discharges and establish permit and pre-treatment requirements. Untreated sewage discharges into natural outlets are prohibited. Developments are required to connect to public sewers. Storm water discharges must be discharged into designated combined sewers, storm sewers, or natural outlets.

The Village of Waterford does not have a sewer ordinance.

4. Historic District Law (Village)

The Village of Waterford's Historic District law establishes a local historic district within the Village, regulates building demolition, and includes enforcement procedures.

The local historic district has the same boundaries as the Waterford Village Historic District, which is listed in the National Register of Historic Places. Property owners wishing to alter or demolish buildings or structures within the historic district must obtain a Certificate of Appropriateness from the Village's Zoning Board of Appeals; certificates for demolition are only issued if economic hardship is proven.

In addition, in accordance with Section 205-33C(4) of the Zoning Ordinance, the Zoning Board of Appeals issues permits supplementing application approval from the Zoning Inspector for alterations, repairs and additions to existing buildings. Permits are issued based on review standards similar to those established by the Secretary of Interior.

The Town of Waterford does not have a local historic preservation ordinance. However, a number of buildings along Saratoga Avenue and in the adjacent neighborhoods are part of the Northside Historic District, which is listed in the National Register of Historic Places.

5. Subdivision Regulations (Town)

The Town of Waterford adopted subdivision regulations in 1984. The subdivision regulations provide the structure for the Planning Board to review and mitigate any

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subdivision proposal within the Town limits. The Planning Board has the opportunity through the subdivision process to guide future growth and development with the aid of zoning, and to negotiate changes to the site plan for the improvement of the Town and its physical well-being (sewers, water and streets), as well as the aesthetic improvement (setbacks and landscaping).

In addition, in accordance with Section A166-18 of the subdivision regulations, all developers must provide at least three acres per 100 dwelling units for parks, open space and natural features. The subdivision regulations also require developers to compensate the Town if the required portion of the total area would not be useful for a public purpose. Section A166-18B(6) stipulates that unique and scenic areas and those areas bordering streams, lakes or other watercourses may be given special consideration by the Planning Board if they are desirable for public open spaces. This section includes compensation of the developer if the open space area exceeds the minimum land contribution for subdivisions.

The Village of Waterford has not adopted subdivision regulations, but is generally built out and unlikely to be further subdivided.

6. Site Plan Review (Town)

The Town of Waterford adopted a site plan review ordinance in 1986. This law authorizes the Planning Board to review and approve or disapprove site plans for all new land use activities within the Town, except for some landscaping or grading; construction of one- or two-family dwellings and ordinary accessory structures; ordinary repair or maintenance or interior alterations to existing structures or uses; and exterior alterations or additions to existing structures which would not increase the square footage of the existing structure by more than 25%, having a cost of less than \$10,000.

A sketch plan review conference is required, a site plan review checklist is set forth in Section 131-8, and detailed site plan review standards are set forth in Section 131-10, including the following:

- a. The location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
- b. The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.
- c. The location, arrangement, appearance and sufficiency of off-street parking and loading.
- d. The adequacy and arrangement of pedestrian traffic access and circulation, walkway

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structures, control of intersections with vehicular traffic, and overall pedestrian convenience.

- e. The adequacy of storm water and drainage facilities.
- f. The adequacy of water supply and sewage disposal facilities.
- g. The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands including the maximum retention of existing vegetation.
- h. The adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- i. Special attention to the adequacy and impact of structures, roadways, and landscaping in areas with susceptibility to ponding, flooding, and/or erosion.
- j. Overall impact on the neighborhood, including compatibility of design considerations.

The Village of Waterford does not have a site plan review ordinance. However, Chapter 44 of the Municipal Code authorizes the Planning Board to adopt subdivision rules and regulations and to review and approve or disapprove applications for site plan review. The Planning Board currently conducts site plan review for the siting of Senior Citizen housing facilities.

See New or Revised Local Laws or Regulations section below for the Village's proposed site plan review law.

7. State Environmental Quality Review – SEQR (Village)

The Village of Waterford adopted a local SEQR ordinance in 1977. This law requires environmental impact statements to be prepared in accordance with NYS DEC regulations with opportunity for public review and comment.

New or Revised Local Laws and Regulations

1. Waterfront Consistency Law (Town and Village)

The Town and Village of Waterford have each adopted a Local Waterfront Consistency Law to ensure that the actions of its respective agencies are consistent with the policies and purposes of the LWRP.

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2. Site Plan Review Law (Village)

A Site Plan Review ordinance has been adopted by the Village of Waterford to control certain new construction and alterations in the Village. The site plan review ordinance also contains appropriate definitions and review criteria for proposed waterfront projects.

3. New Definitions for Zoning (Town and Village)

The Town and Village have each amend their zoning regulations to include new definitions related to waterfront revitalization.

4. Waterfront Overlay Districts (Town and Village)

The Town and Village of Waterford will each amend their Zoning regulations to include new waterfront overlay districts. These laws will set forth the purposes of the LWRP, definitions, allowed uses within waterfront areas, site plan review process for waterfront parcels and review standards designed to encourage expanded public access to waterfront areas and aesthetic improvements in these areas.

5. Zoning Map Amendment (Town)

The Town of Waterford will amend its zoning map to change the zoning classification of that portion of Peebles Island zoned manufacturing to land conservation. The Town will update its official zoning map to reflect this change. (See [Future Town Zoning Map](#).)

B. Other Public and Private Actions

1. Town of Waterford

Physical Improvements

Park and Trail Improvements

Since the mid-1990s, the Town and Village have completed numerous waterfront trails and improvements, including a new visitor welcome center, waterfront promenade and floating docks along the Erie Canal in the Village, and development of the Champlain Canal Trail.

These projects have considerably expanded public access to waterfront areas. However, in keeping with the RiverSpark Heritage Area Management Plan, Hudson River Greenway Plan, and many similar documents, the Town would like to build on these projects to create a linked system of waterfront trails which would encompass, and

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provide recreational opportunities along, the entire length of the Mohawk River, Erie Canal and Champlain Canal waterfronts.

To achieve this vision, the Town will work with the Village of Waterford, the New York State Canal Corporation, the New York State Department of State Division of Coastal Resources, the New York State Office of Parks, Recreation and Historic Preservation, RiverSpark Heritage Area, Hudson River Greenway, Champlain Valley Heritage Corridor, Mohawk Valley Heritage Corridor, Erie Canal Heritage Area, Hudson River Heritage Area, and appropriate others to complete the following projects:

- **Champlain Canal Trail Extension:** The Town will work with appropriate public, private, and nonprofit agencies as outlined above to extend the Champlain Canal Trail to the Town’s northern boundary.
- **Erie Canal Locks 2- 6 Pedestrian Trail and Park Enhancements:** The Town will develop a pedestrian trail extending from Lock 2 park to Lock 6 along the Erie Canal. The project includes construction of two pedestrian bridges, brush clearing, grading, surfacing, and installation of amenities such as benches, trash receptacles, and way-finding and interpretive signage.
- **Northern Mohawk River Trail (Waterford – Halfmoon):** The Town will work to develop a waterfront trail from the NYS Boat Launch (Alcathy’s) near Erie Canal Lock 6 to the Town’s northern boundary. The project includes brush clearing, grading, surfacing, and installation of amenities such as benches, trash receptacles, and way-finding and interpretive signage.
- **NYS Boat Launch (Alcathy’s) Enhancement:** The Town will work to enhance the boat launch area and establish it as a “hub” and trail head on the Northern Mohawk River Trail. Improvements will include interpretive signage, way-finding signage, additional seating, and similar amenities.
- **Clement Park Overlook Enhancements and Cohoes Falls Trail:** The Town will work with adjoining property owners and the agencies described above to negotiate easements along the Mohawk River waterfront, obtain insurance, and design and develop a formal Cohoes Falls Trail and Clement Park Overlook. The trail will include amenities such as seating, trash receptacles and interpretive and way-finding signage regarding both the Cohoes Falls and the architecture and industrial archeology of Cohoes and the Harmony Mills complex. Clement Park would be rehabilitated and/or enhanced to serve as a formal “hub” and trail head, with selective tree pruning and thinning to allow better views across the Mohawk River. It is anticipated that the Cohoes Falls Trail will eventually extend from Saratoga

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Avenue to the Waterford Flight, connecting with the proposed Northern Mohawk Trail, trail between Locks 2-6, and other trails.

Gateway and Facade Improvements

Saratoga Avenue and Routes 4/32 represent important “gateways” that bring existing residents, visitors and potential residents and investors into the Town and Village. These corridors should be enhanced to present a better first impression, with enhancements designed to draw people into key commercial, recreational and cultural amenities in the Town and Village. Enhancements will include façade improvement, particularly along Saratoga Avenue; streetscape improvements such as sidewalks, lighting, street furniture and directional signage.

- **Northern and Southern Gateway Improvements/Saratoga Avenue Façade and Streetscape Improvements:** The Town will work with the NYS Office of Parks, Recreation and Historic Preservation and the NYS Department of Transportation to develop and implement a façade and streetscape improvement program along the Saratoga Avenue corridor as a welcoming gateway to Waterford. Gateway improvements will also be made along Routes 4/32 from the Town of Halfmoon. To strengthen gateway and façade improvement efforts, the Town will consider adopting a local historic preservation ordinance to better protect properties in the National Register-listed Northside Historic District.

Adaptive Use/Redevelopment

Several underutilized and vacant sites and structures represent excellent opportunities to stimulate economic growth within the Town and Village. To capitalize on potential opportunities, the town and village will continue to work with property owners, state agencies, funders, and prospective investors to implement appropriate redevelopment strategies. The Town and Village will encourage redevelopment to take advantage of waterfront locations and include elements that will increase public access to the waterfront.

- **Redevelopment of Underutilized/Vacant Sites:** The Town will continue to work with the NYS Department of Environmental Conservation, U.S. Environmental Protection Agency and NYS Department of State Division of Coastal Resources to monitor, remediate and redevelop underutilized and vacant sites between the Champlain Canal and Saratoga Avenue.
- **Inn and Restaurant at the Point:** The Town and Village will continue to work together to develop a hotel and restaurant to complement recently completed canal harbor improvements and stimulate economic development. Assistance will be

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sought from the NYS Canal Corporation, the New York State Department of State Division of Coastal Resources, and NYS Office of Parks, Recreation and Historic Preservation.

- **Reuse/Redevelopment of Ursula of Switzerland:** The Town will assist Ursula of Switzerland to redevelop the former Ormsby-Laughlin Textile Mill. Redevelopment may include conversion of existing industrial mill space into mixed uses such as hotel, retail and offices.

Heritage Tourism Improvements

Continuing implementation of numerous waterfront revitalization projects has made the Town and Village of Waterford an appealing and increasingly popular heritage tourism destination. However, additional efforts are needed to facilitate and enhance visitor experiences. The Town and Village will work with the New York State Canal Corporation, the New York State Department of State Division of Coastal Resources, the New York State Office of Parks, Recreation and Historic Preservation, RiverSpark Heritage Area, Hudson River Greenway, Champlain Valley Heritage Corridor, Mohawk Valley Heritage Corridor, Erie Canal Heritage Area, Hudson River Heritage Area, and appropriate others to complete the following projects:

- **Waterford Historical Museum Site Improvements:** The Town will assist the Waterford Historical Museum to implement site improvements and additional signage designed to establish the Waterford Historical Museum as the southern “hub” and trail head for the Champlain Canal Trail.
- **Directional and Interpretive Signage:** The Town will continue working with various organizations with an interest in heritage tourism to develop an effective system of way-finding and interpretive signage along gateway corridors, streets linking the Broad Street commercial area and waterfront, and the waterfront trail system. Directional or interpretive signage must comply with guidelines that are set out in the U.S. Department of Transportation’s manual of Uniform Traffic Control Devices. The NYS Department of Transportation should be consulted for implementation assistance and possible funding.

2. Village of Waterford

Since the mid-1990s, the Town and Village have completed numerous waterfront trails and improvements, including a new visitor welcome center, waterfront promenade and floating docks along the Erie Canal in the Village, and development of the Champlain Canal Trail.

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These projects have considerably expanded public access to waterfront areas. However, in keeping with the RiverSpark Heritage Area Management Plan, Hudson River Greenway Plan, and many similar documents, the Village would like to build on these projects to create continue improving the physical and aesthetic linkages between the downtown commercial area and waterfront areas, and to complete numerous improvements that will enhance Waterford's position as a destination for shopping, tourism, recreation, and other activities.

To achieve this vision, the Village will work with the Town of Waterford, the New York State Canal Corporation, the New York State Department of State Division of Coastal Resources, the New York State Office of Parks, Recreation and Historic Preservation, RiverSpark Heritage Area, Hudson River Greenway, Champlain Valley Heritage Corridor, Mohawk Valley Heritage Corridor, Erie Canal Heritage Area, Hudson River Heritage Area, and appropriate others to complete the following projects:

- **Facade and Streetscape Improvement Projects** - The Village will implement the recently funded Design Guidelines and Streetscape Improvement Program and will subsequently work with public and private sector partners to establish residential and commercial facade improvement and building rehabilitation programs. This project includes public outreach and education to give property owners and local officials a better understanding of the link between good design and economic revitalization. As part of the design guidelines adoption process, the Village will review and consider updating local historic preservation laws.
- **Champlain Canal Lock 5 Restoration** - The Village will restore Champlain Canal Lock 5 as an interpretive destination along the Champlain Canalway Trail.
- **Parking Study and Implementation** -The Village will secure a consultant to determine how to best manage and expand parking opportunities and develop an implementation strategy for improved parking conditions. Strategies may include creation of additional off-street parking, alley parking, shared parking arrangements, etc.
- **Pebbles Island Gateway Improvements** -The Village will work to complete streetscape improvements along Second Street in conjunction with bridge repair work. Gateway improvements will include directional signage, repaving, curbs, sidewalks, striping, lighting, and street furniture and will be designed to encourage movement between Pebbles Island, waterfront areas and the Broad Street commercial area.
- **Welcome Center Improvements** – The Village will continue to seek grant funding

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to complete planned Welcome Center improvements such as interpretive murals, additional exhibits, and signage.

- **Tugboat Buffalo Restoration and Interpretation** – The Village will continue to seek grant funding and assist volunteers with the restoration and interpretation of the Tugboat Buffalo.
- **Welcome Center/Waterford Museum Visitor Services Program** - Welcome Center staff and volunteers will work with Waterford Museum staff to develop and operate a summer visitor services program. The program will train volunteers who will greet, direct and assist visitors while traveling along Broad Street, Champlain Canalway Trail, the waterfront promenade and other locations.

3. Other Local Organizations

The Town and Village of Waterford will need continuing assistance from several existing and potential local partners to implement many of the projects described here. Specific organizations and assistance will include:

- **Waterford Historical Museum** – The Town and Village will need support and collaboration from the Board of Trustees and staff of the Waterford Historical Museum. The museum has the potential to become an important hub along the Broad Street/Saratoga Avenue corridor, while at the same time helping to connect the Mohawk River and Champlain Canal waterfronts to the Hudson River and Erie Canal. Improvements would focus on “cleaning up” Museum Lane, improving the parking lot, adding interpretive signage, and similar projects.
- **Niagara Mohawk** – The Town and Village will need assistance and collaboration from Niagara Mohawk with regard to trail development along its Mohawk River right-of-way.
- **Local Banks** – Financial assistance from local banks may be needed to provide seed capital and/or incentives for selected projects such as residential and commercial façade improvement.
- **Local Property Owners and Businesses** – Financial contributions from local property owners and businesses may be necessary to provide match funding for specific projects such as residential and commercial façade improvement, and key elements of other projects in which private donations of goods or services may be important to implementation.

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4. New York State

Timely completion of many of the projects listed above will depend on funding and technical assistance from various New York State agencies, including the NYS Department of State, NYS Department of Environmental Conservation, the NYS Office of Parks, Recreation and Historic Preservation, the NYS Thruway Authority and Canal Corporation, and Hudson River Valley Greenway. Assistance from these agencies will be needed to fund additional waterfront trail development, park improvements in key waterfront areas, interpretive signage, as well as secure easements from private property owners.

5. Private Actions

Funding and cooperation is needed from private property owners and developers for a number of waterfront projects, including trail development in locations mentioned above, the Inn and Restaurant at the Point, reuse/redevelopment of Ursula of Switzerland, facade and building restoration, and redevelopment of underutilized/vacant sites along the Champlain Canal.

- **Northern Mohawk River Trail** - The assistance of property owners will be needed to expand public access and recreational opportunities in the future. The Town can work with the Hudson River Greenway to secure easements for pedestrian trail right-of-ways as well as insurance for property owners.
- **Cohoes Falls Trail** - The assistance of property owners will be needed to expand public access and recreational opportunities in the future. The Town will work with the Hudson River Greenway to secure easements for pedestrian trail right-of-ways as well as insurance for property owners.
- **Champlain Canal Trail Extension** - The assistance of property owners, particularly General Electric/Momentive, will be needed to expand public access and recreational opportunities in the future. The Town will work with the Hudson River Greenway to secure easements for pedestrian trail right-of-ways as well as insurance for property owners.

C. Management Structure Necessary to Implement the LWRP

The Town of Waterford has identified the Town Planning Board to oversee implementation of the Local Waterfront Revitalization Program, and the Village has likewise identified the Village Planning Board to supervise and monitor Local Waterfront Revitalization Program implementation. These two entities will be complemented by the Waterford Comprehensive Plan/Local Waterfront Revitalization Program Advisory Committee, which will meet quarterly to review policies and projects of the Local Waterfront Revitalization Program. Additional

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support may be provided by volunteers associated with various events, such as the annual CanalFest, Tugboat Roundup, and similar events.

Duties of the Management Entity will include:

1. Reviewing Proposed Actions Within the Waterfront Area to Assure Their Consistency with the LWRP

The Town and Village Planning Boards will review all applications for site plan review and building permits for projects within the LWRP. Approvals, denials and modifications will be made on the basis of LWRP policies as well as the standards set forth in the Waterfront Overlay District.

2. Waterfront/LWRP Program Promotion

Other responsibilities of the Waterfront Advisory Committee will include promotion of the waterfront and LWRP; assisting Town and village staff with fundraising activities; serving as a liaison between public and private sectors; and generally promoting and encouraging compatible development in the waterfront revitalization area. To accomplish these purposes, the WAC will continue to meet periodically and coordinate its efforts closely with the planning boards.

3. Public Education and Awareness Activities

The Waterfront Advisory Committee and the Planning Boards will work with other individuals and groups to develop and implement public education and awareness activities regarding the Town and Villages waterfront.

D. Financial Resources Necessary to Implement the LWRP

The implementation of the projects set forth in this Local Waterfront Revitalization Program will require an undetermined amount of public funds, as follows:

1. Town

An obligation of Town funds may be necessary for completion of proposed improvements along the Hudson River, Mohawk River, Erie Canal and Champlain Canal, including the development and enhancement of parks and trails, gateway and streetscape improvements, and boating facilities.

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2. Village

An obligation of Village funds may be necessary for completion of proposed improvements along the Hudson River, Mohawk River, Erie Canal and Champlain Canal, including development and enhancement of parks and trails, gateway and streetscape improvements, downtown revitalization, and boating facilities.

3. State

Continued funding is needed for a variety of projects designed to improve public access to waterfront areas, enhance existing waterfront amenities, and construct new facilities in key waterfront areas. Most of these improvements and enhancements have been consistently identified and recommended in local and regional planning documents for many years. They include: trail extensions along the Champlain Canal, Waterford Flight, and Mohawk River; gateway and streetscape improvements; site improvements to the Waterford Historical Museum; park improvements; and other projects listed above.

4. Federal

Continued funding is needed from the Federal government to assist in trails creation, park improvements, and traffic and pedestrian improvements along Route 4/32.

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

SECTION VI

State Actions and Programs Likely to Affect Implementation

State actions will affect and be affected by implementation of the LWRP. Under State law certain State actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. The lists of State actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State agency actions which are necessary to further implementation of the LWRP. It is recognized that a State agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements cannot be used to require a State agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State assistance needed to implement the LWRP.

A. State Actions and Programs Which Should be Undertaken in a Manner Consistent with the LWRP.

1. STATE AGENCIES

OFFICE FOR THE AGING

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs.
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and Approval Programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer's Permits
 - 1.14 Liquor Store License
 - 1.15 On-Premises Liquor Licenses
 - 1.16 Plenary Permit (Miscellaneous-Annual)
 - 1.17 Summer Beer and Liquor Licenses
 - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
 - 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit
 - 1.21 Wine Store License
 - 1.22 Winter Beer and Liquor Licenses
 - 1.23 Wholesale Beer, Wine, and Liquor Licenses

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

DIVISION OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
 - 3.01 Letter Approval for Certificate of Need
 - 3.02 Operating Certificate (Alcoholism Facility)
 - 3.03 Operating Certificate (Community Residence)
 - 3.04 Operating Certificate (Outpatient Facility)
 - 3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union Change of Location)
 - 1.05 Authorization Certificate (Credit Union Charter)
 - 1.06 Authorization Certificate (Credit Union Station)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
 - 1.09 Authorization Certificate (Investment Company Branch)
 - 1.10 Authorization Certificate (Investment Company Change of Location)
 - 1.11 Authorization Certificate (Investment Company Charter)
 - 1.12 Authorization Certificate (Licensed Lender Change of Location)

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

DEPARTMENT OF CORRECTIONAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

DEPARTMENT OF ECONOMIC DEVELOPMENT

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certification of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesale of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- 4.04 Operating aid to municipal wastewater treatment facilities
- 4.05 Resource recovery and solid waste management capital projects
- 4.06 Wastewater treatment facilities

- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).

- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.

- 7.00 Marine Finfish and Shellfish Programs.

- 8.00 New York Harbor Drift Removal Project.

- 9.00 Permit and approval programs:

Air Resources

- 9.01 Certificate of Approval for Air Pollution Episode Action Plan
- 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.23 Permit - Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.28 Floating Object Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non-Resident Food Fishing Vessel
- 9.34 Non-Resident Lobster Permit
- 9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.36 Permits to Take Blue-Claw Crabs
- 9.37 Permit to Use Pond or Trap Net
- 9.38 Resident Commercial Lobster Permit

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit - Article 25, (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.45 Underground Storage Permit (Gas)
- 9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

- 9.47 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
 - 9.50 Certificate of Approval of Realty Subdivision Plans
 - 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
 - 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
 - 9.53 Permit - Article 36, (Construction in Flood Hazard Areas)
 - 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
 - 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
 - 9.56 Approval - Drainage Improvement District
 - 9.57 Approval - Water (Diversion for) Power
 - 9.58 Approval of Well System and Permit to Operate
 - 9.59 Permit - Article 15, (Protection of Water) - Dam
 - 9.60 Permit - Article 15, Title 15 (Water Supply)
 - 9.61 River Improvement District Approvals
 - 9.62 River Regulatory District Approvals
 - 9.63 Well Drilling Certificate of Registration
 - 9.64 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- 11.00 Preparation and revision of Continuous Executive Program Plan.
- 12.00 Preparation and revision of Statewide Environmental Plan.
- 13.00 Protection of Natural and Man-made Beauty Program.
- 14.00 Urban Fisheries Program.
- 15.00 Urban Forestry Program.
- 16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- 2.01 Approval of Completed Works for Public Water Supply Improvements
- 2.02 Approval of Plans for Public Water Supply Improvements.
- 2.03 Certificate of Need (Health Related Facility - except Hospitals)
- 2.04 Certificate of Need (Hospitals)
- 2.05 Operating Certificate (Diagnostic and Treatment Center)
- 2.06 Operating Certificate (Health Related Facility)
- 2.07 Operating Certificate (Hospice)
- 2.08 Operating Certificate (Hospital)
- 2.09 Operating Certificate (Nursing Home)
- 2.10 Permit to Operate a Children's Overnight or Day Camp
- 2.11 Permit to Operate a Migrant Labor Camp
- 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
- 2.13 Permit to Operate a Service Food Establishment
- 2.14 Permit to Operate a Temporary Residence/Mass Gathering
- 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
- 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
- 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL AND ITS SUBSIDIARIES AND AFFILIATES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
 - 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs
 - 2.05 Rural Initiatives Grant Program
 - 2.06 Rural Preservation Companies Program
 - 2.07 Rural Rental Assistance Program
 - 2.08 Special Needs Demonstration Projects
 - 2.09 Urban Initiatives Grant Program
 - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.

2.00 Affordable Housing Corporation

JOB DEVELOPMENT AUTHORITY

1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Operating Certificate (Community Residence)

2.02 Operating Certificate (Family Care Homes)

2.03 Operating Certificate (Inpatient Facility)

2.04 Operating Certificate (Outpatient Facility)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Establishment and Construction Prior Approval

2.02 Operating Certificate Community Residence

2.03 Outpatient Facility Operating Certificate

DIVISION OF MILITARY AND NAVAL AFFAIRS

1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

1.00 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commission)

- 1.0 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
 - 7.01 Floating Objects Permit
 - 7.02 Marine Regatta Permit
 - 7.03 Navigation Aide Permit
 - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program.

POWER AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

DEPARTMENT OF SOCIAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
 - 3.02 Operating Certificate (Children's Services)
 - 3.03 Operating Certificate (Enriched Housing Program)
 - 3.04 Operating Certificate (Home for Adults)
 - 3.05 Operating Certificate (Proprietary Home)
 - 3.06 Operating Certificate (Public Home)
 - 3.07 Operating Certificate (Special Care Home)
 - 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

STATE UNIVERSITY CONSTRUCTION FUND

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

THRUWAY AUTHORITY /CANAL CORPORATION/CANAL RECREATIONWAY COMMISSION (regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land and other resources under the jurisdiction of the Thruway Authority, Canal Corporation, and Canal Recreationway Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Permit and approval programs:
 - 3.01 Advertising Device Permit
 - 3.02 Approval to Transport Radioactive Waste
 - 3.03 Occupancy Permit
 - 3.04 Permits for use of Canal System lands and waters.
- 4.00 Statewide Canal Recreationway Plan

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
 - (a) Highways and parkways
 - (b) Bridges on the State highways system

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- (c) Highway and parkway maintenance facilities
 - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
- 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
 - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
 - 3.04 Subsidies program for marginal branchlines abandoned by Conrail
 - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
- 4.01 Approval of applications for airport improvements (construction projects)
 - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
 - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
 - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
 - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
 - 4.06 Highway Work Permits
 - 4.07 License to Operate Major Petroleum Facilities
 - 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
 - 4.09 Real Property Division Permit for Use of State-Owned Property

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
 - (a) Tax-Exempt Financing Program
 - (b) Lease Collateral Program
 - (c) Lease Financial Program
 - (d) Targeted Investment Program
 - (e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects.
- 4.00 Administration of State-funded capital grant programs.

DIVISION OF YOUTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

B. STATE ACTIONS AND PROGRAMS NECESSARY TO FURTHER THE LWRP.

STATE AGENCIES

CANAL CORPORATION

- 1. Any projects related to lands adjacent to the Barge/Erie Canal, Champlain Canal, and the Waterford Flight.

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

COUNCIL ON THE ARTS

1. Assistance from the Architecture and Environmental Arts program for a harborfront plan.

EMPIRE STATE DEVELOPMENT

1. Any action or provision of funds for the development or promotion of tourism related activities or development.

ENVIRONMENTAL CONSERVATION, Department of

1. Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
2. Advance assistance under the Small Communities and Rural Wastewater Treatment Grant Program and a subsequent construction grant subsidy.
3. Review of actions within National Register Districts pursuant to SEQR.

GOVERNOR'S OFFICE OF SMALL CITIES

1. Any economic development and microenterprise projects under the Small Cities Program funded by the federal Community Development Block Grant.
2. Housing rehabilitation programs under the Small Cities Program funded by the federal Community Development Block Grant.

HUDSON VALLEY GREENWAY

1. Trails and related recreation along the Hudson River.

JOB DEVELOPMENT AUTHORITY

1. Provision of low interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.

PARKS, RECREATION AND HISTORIC PRESERVATION, Office of

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.

Section VI State Actions & Programs

Town & Village of Waterford Local Waterfront Revitalization Program

2. Provision of funding for State and local activities from the Environmental Protection Fund.
3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Certification of properties within the National Register Districts.
5. Provision of funding for State and local historic preservation activities.
6. Review of Type I actions within the National Historic Districts.
7. Activities under the Urban Cultural Park program.

STATE, Department of

1. Provision of funding for the implementation of an approved LWRP.
2. Provision of funding under the Environmental Protection Fund program.

DEPARTMENT OF TRANSPORTATION

1. Assistance for streetscape improvements in Town and Village.
2. Assistance for street repairs through the Consolidated Highway Improvements Program.

Section VII Local Commitment & Consultation

Town & Village of Waterford Local Waterfront Revitalization Program

Section VII Local Commitment & Consultation

Local Commitment

The Town and Village of Waterford LWRP has been prepared with assistance from a Waterfront Advisory Committee established by Town Supervisor Jack Lawler and Mayor Bert Mahoney in 1999 to initiate and oversee preparation of a Local Waterfront Revitalization Program. Committee membership includes representation from the Town and Village Boards, various waterfront neighborhood residents, and business owners.

The direction for Waterford's LWRP planning effort came from resident input received in the community survey conducted in January 2000 as well as subsequent public meetings. The survey showed that while people are generally satisfied with the Town and Village overall, residents want some level of change. Survey respondents indicated that some growth would help Waterford, providing a stronger tax base and opportunities for young people, but that any growth must be gradual and well-planned.

In subsequent months, the Comprehensive Plan/LWRP Committee conducted several community meetings, including an orientation session, visioning workshop, and goal setting/action plan workshop. At the initial meeting, the Committee described the comprehensive planning process. Key findings from the Inventory and Analysis and survey resulted in specific recommendations from Committee members and residents that have been incorporated into the LWRP. The committee met on an approximately monthly basis to review LWRP drafts, identify key projects, and develop waterfront policies. Waterfront Advisory Committee members included:

Philip J. Brendese
Christopher Callaghan
Elizabeth Callaghan
Daniel Cerone
Wayne Clermont
Laurie Marble

Maureen Palmer
Ward Patton
Barbara Plummer
Kenneth H. Smith
John J. Lawler, Supervisor
J. Bert Mahoney, Mayor

Consultation

The Waterfront Advisory Committee regularly consulted with Town and Village Planning Boards on progress toward completing the LWRP. In addition, the committee sought and received approval of the draft document, local waterfront consistency law, and waterfront overlay district law. The municipalities will consult with additional agencies during the 60 day review process and the SEQR process.

Appendix A

Town & Village of Waterford Local Waterfront Revitalization Program

DEFINITIONS

The following definitions should be added as an amendment to Chapter 161, Section 161-3, Definitions and Word Usage of the Zoning Ordinance of the Town of Waterford.

LAND USE ACTIVITY – Any construction or other activity which changes the use or appearance of land or a structure or the intensity of use of land or a structure. “Land use activity” shall explicitly include, but not be limited to, the following: new structures, expansions to existing structures, new uses, changes in or expansions of existing uses, roads, driveways, and excavations for the purpose of extracting soil or mineral deposits.

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) - Refers to the Local Waterfront Revitalization Program of the Town and Village of Waterford, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Town Clerk in the Town of Waterford.

NATURAL PROTECTIVE FEATURE - A characteristic of land that was not directly created or built by humans and serves to protect other lands, man-made structures, or persons from floods, wind, earthquakes, extreme heat or cold, excessive precipitation, erosion or landslides, or any other phenomenon in nature that could result in significant loss of life or property.

PUBLIC TRUST LANDS - Properties that are considered held by the Village of Waterford or the State of New York due to the fact that they are not deeded to individuals. This may include land under water that is not specifically deeded to a property-owner.

WETLAND - Includes both tidal wetlands, as defined in Article 25 of New York State's Environmental Conservation Law, and freshwater wetlands, as defined in Article 24 of New York State's Environmental Conservation Law.

WATER-DEPENDENT USE - An activity which requires a location in, on, over, or adjacent to the water because the activities require direct access to water and the use of water is an integral part of the activity. Examples of water-dependent uses include public and private marinas, yacht clubs, boat yards, commercial and recreational fishing facilities, waterborne commerce, ferries, marine educational or laboratory facilities, and water-related public and quasi-public utilities.

WATER-ENHANCED OR WATER-RELATED USES - Uses that have no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users is increased significantly when it is adjacent or has visual access to the waterfront.

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Town & Village of Waterford Local Waterfront Revitalization Program

DEFINITIONS

The following definitions should be added as an amendment to Section 205-38 (Article X), Zoning, Word Usage and Definitions of the Code of the Village of Waterford.

LAND USE ACTIVITY – Any construction or other activity which changes the use or appearance of land or a structure or the intensity of use of land or a structure. “Land use activity” shall explicitly include, but not be limited to, the following: new structures, expansions to existing structures, new uses, changes in or expansions of existing uses, roads, driveways, and excavations for the purpose of extracting soil or mineral deposits.

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) - Refers to the Local Waterfront Revitalization Program of the Town and Village of Waterford, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Town Clerk in the Town of Waterford.

NATURAL PROTECTIVE FEATURE - A characteristic of land that was not directly created or built by humans and serves to protect other lands, man-made structures, or persons from floods, wind, earthquakes, extreme heat or cold, excessive precipitation, erosion or landslides, or any other phenomenon in nature that could result in significant loss of life or property.

PUBLIC TRUST LANDS - Properties that are considered held by the Village of Waterford or the State of New York due to the fact that they are not deeded to individuals. This may include land under water that is not specifically deeded to a property-owner.

WETLAND - Includes both tidal wetlands, as defined in Article 25 of New York State's Environmental Conservation Law, and freshwater wetlands, as defined in Article 24 of New York State's Environmental Conservation Law.

WATER-DEPENDENT USE - An activity which requires a location in, on, over, or adjacent to the water because the activities require direct access to water and the use of water is an integral part of the activity. Examples of water-dependent uses include public and private marinas, yacht clubs, boat yards, commercial and recreational fishing facilities, waterborne commerce, ferries, marine educational or laboratory facilities, and water-related public and quasi-public utilities.

WATER-ENHANCED OR WATER-RELATED USES - Uses that have no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users is increased significantly when it is adjacent or has visual access to the waterfront.

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Town & Village of Waterford Local Waterfront Revitalization Program

Town of Waterford
Local Waterfront Revitalization Program Consistency Law
TOWN OF WATERFORD

Local Law No. 6 of the year 2008

Be it enacted by the Town Board of the Town of Waterford as follows:

GENERAL PROVISIONS

I. Title

This local law will be known as the Town of Waterford Waterfront Consistency Law.

II. Authority and Purpose

- A. This local law is adopted under the authority of Municipal Home Rule Law §10 and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).
- B. The purpose of this local law is to provide a framework for agencies or boards of the Town of Waterford to consider the policies and purposes contained in the Local Waterfront Revitalization Program when reviewing applications for actions or direct agency actions located in the waterfront area; another purpose of the law is to assure that such actions and direct actions are consistent with the said policies and purposes.
- C. The Town hereby declares that the preservation, enhancement and utilization of the natural and manmade resources of the waterfront area of the Town should take place in a coordinated and comprehensive manner to ensure a proper balance between natural resources and the need to accommodate population growth and economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing:
- (1) loss of fish and wildlife;
 - (2) diminution of open space areas or public access to the waterfront;
 - (3) erosion of shoreline;
 - (4) losses due to flooding, erosion and sedimentation; or permanent adverse changes to ecological systems
- D. The substantive provisions of this local law shall only apply while there is in existence a Local Waterfront Revitalization Program that has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

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Town & Village of Waterford Local Waterfront Revitalization Program

III. Definitions

- A. "Actions" means either Type I or Unlisted actions as defined in the State Environmental Quality Review Act ("SEQRA") regulations (Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York or "6 NYCRR Part 617), which are undertaken by an agency and that include:
- (1) projects or physical activities such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:
 - (a) are directly undertaken by an agency; or
 - (b) involve funding by an agency; or
 - (c) require one or more new modified approvals from an agency or agencies; or
 - (d) involve agency planning and policy-making activities that may affect the environment and commit the agency to a definite course of future decisions; or
 - (e) constitute adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment-
- B. "Agency" means any board, agency, department, office, other body, or office of the Town of Waterford.
- C. "Waterfront area" means the Waterfront Revitalization Area as delineated in the Town & Village of Waterford Local Waterfront Revitalization Program.
- D. "Consistent" means that the action will fully comply with the LWRP policy standards and conditions and, whenever practicable, will advance one or more of them.
- E. "Direct actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rule making, procedure making and policy making.
- F. "Waterfront Assessment Form (WAF)" means the form used by an agency to assist it in determining the consistency of an action with the Local Waterfront Revitalization Program.
- G. "Local Waterfront Revitalization Program (LWRP)" means the Local Waterfront Revitalization Program of the Town & Village of Waterford, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Town Clerk in the Town of Waterford.

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Town & Village of Waterford Local Waterfront Revitalization Program

IV. Review of Actions

- A. Whenever a proposed action is located in the Town's waterfront revitalization area, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards and conditions set forth in Paragraph H herein.
- B. Whenever an agency undertakes, funds or approves a Type I or Unlisted action, the agency must determine if the action will be undertaken within the waterfront area and, if so, prepare a Waterfront Assessment Form to assist with the consistency review.
- C. The agency shall refer a copy of the completed WAF to the Planning Board within ten (10) days of its submission and prior to making its determination, shall consider the recommendation of the Planning Board with reference to the consistency of the proposed action.
- D. In making its recommendation, the Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards. The agency engaging in the action is responsible for consistency and is not bound by the recommendation of the Planning Board.
- E. The Planning Board shall render a written recommendation within thirty (30) days following referral of the WAF from the agency, unless extended by mutual agreement of the Planning Board and the applicant or the agency. The recommendation shall indicate whether, in the opinion of the Planning Board, the proposed action is consistent with the LWRP policy standards. The Planning Board shall, along with the consistency recommendation, address specific policy standards as appropriate and suggest modifications to the action to make it consistent with such standards. In the event that the Planning Board's recommendation is not forthcoming within the specified time, the referring agency shall make its decision without the benefit of the Board's recommendation.
- F. If an agency determines that an action would not be consistent with one or more of the LWRP policy standards and conditions, such action shall not be undertaken unless the determining agency makes a written finding with respect to the proposed action that:
 - 1. No reasonable alternatives exist that would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policy standards and conditions;
 - 2. The action would be undertaken in a manner which will minimize all adverse effects on such LWRP policy standards and conditions;
 - 3. The action will advance one or more of the other LWRP policy standards and conditions; and
 - 4. The action will result in an overriding Town, regional or state-wide public benefit.

Such a finding will constitute a determination that the action is consistent with the LWRP

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Town & Village of Waterford Local Waterfront Revitalization Program

policy standards and conditions.

- G. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Planning Board. Such files shall be made available for public inspection upon request.
- H. Actions to be undertaken within the waterfront area shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, which are derived from and further explained and described in Section III of the Town & Village of Waterford LWRP. In the case of direct actions, the agency shall also consult with Section IV of the LWRP in making their consistency determination. The action shall be consistent with the policies to:
- (1) foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development;
 - (2) protect water-dependent and water-enhanced uses, promote siting of new water-dependent or water-enhanced uses in suitable locations, and support efficient marina operation;
 - (3) promote the sustainable use of fish and wildlife resources;
 - (4) protect and restore ecological resources, including significant fish and wildlife habitats, wetlands, and rare ecological communities;
 - (5) protect and improve water resources;
 - (6) minimize loss of life, structures, and natural resources from flooding and erosion;
 - (7) protect and improve air quality;
 - (8) promote appropriate use and development of energy and mineral resources;
 - (9) minimize environmental degradation from solid waste and hazardous substances and wastes;
 - (10) improve public access to, and recreational use of, public lands, waters and resources of the waterfront revitalization area;
 - (11) enhance visual quality and protect scenic resources; and
 - (13) preserve historic resources.

V. Enforcement

The Zoning Inspector shall be responsible for enforcing this Chapter. No work or activity on a project in the waterfront area which is subject to review under this Chapter shall be commenced or undertaken until the Building Inspector has been presented with a written determination from an agency that the action is

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Town & Village of Waterford Local Waterfront Revitalization Program

consistent with the Town's LWRP policy standards and conditions.

In the event that an activity is not being performed in accordance with this Chapter or any conditions imposed thereunder, the Zoning Inspector shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

VI. Violations

- A. Any person who shall violate any of the provisions of this local law shall be guilty of a violation and subject to one or more of the following remedies: (1) a fine not to exceed \$350.00 or imprisonment for a period not to exceed fifteen days, or both; or (2) a penalty of \$350.00 to be recovered by the Town in a civil action. Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect or refusal shall continue. The Town Board may also maintain an action or other proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of this law.

In the event the penalty sought is within the monetary jurisdiction of the Town of Waterford Justice Court, as established in article 18 of the Uniform Justice Court Act, such action to recover such penalty maybe commenced as a small claim pursuant to the provisions of article 18 of the Uniform Justice Court Act.

- B. The Town Attorney may be authorized by resolution of the Town Board and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

VII. Severability

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law as a whole or any part of provision hereof other than the provision so found to be invalid.

VIII. Effective Date

This local law shall take effect immediately upon its filing with the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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Town & Village of Waterford Local Waterfront Revitalization Program

Village of Waterford Local Waterfront Revitalization Program Consistency Law VILLAGE OF WATERFORD

Local Law No. 4 of the year 2007

Be it enacted by the Village Board of the Village of Waterford as follows:

GENERAL PROVISIONS

I. Title

This local law will be known as the Village of Waterford Waterfront Consistency Law.

II. Authority and Purpose

- A. This local law is adopted under the authority of the Municipal Home Rule Law §10 and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).
- B. The purpose of this local law is to provide a framework for agencies or boards of the Village of Waterford to consider the policies and purposes contained in the Local Waterfront Revitalization Program when reviewing applications for actions or direct agency actions located in the waterfront area; another purpose of the law is to assure that such actions and direct actions are consistent with the said policies and purposes.
- C. The Village hereby declares that the preservation, enhancement and utilization of the natural and manmade resources of the waterfront area of the Village should take place in a coordinated and comprehensive manner to ensure a proper balance between natural resources and the need to accommodate population growth and economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing:
- (1) loss of fish and wildlife;
 - (2) diminution of open space areas or public access to the waterfront;
 - (3) erosion of shoreline;
 - (4) losses due to flooding, erosion and sedimentation; or permanent adverse changes to ecological systems
- D. The substantive provisions of this local law shall only apply while there is in existence a local Waterfront Revitalization Program which has been adopted in accordance with Article

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Town & Village of Waterford Local Waterfront Revitalization Program

42 of the Executive Law of the State of New York.

III. Definitions

- A. "Actions" means either Type I or Unlisted actions as defined in the State Environmental Quality Review Act ("SEQRA") regulations (Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York or "6 NYCRR Part 617), which are undertaken by an agency and that include:
- (1) projects or physical activities such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:
 - (a) are directly undertaken by an agency; or
 - (b) involve funding by an agency; or
 - (c) require one or more new modified approvals from an agency or agencies; or
 - (d) involve agency planning and policy-making activities that may affect the environment and commit the agency to a definite course of future decisions; or
 - (e) constitute adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment.
- B. "Agency" means any board, agency, department, office, other body, or office of the Village of Waterford.
- C. "Waterfront area" means the Waterfront Revitalization Area as delineated in the Town & Village of Waterford Local Waterfront Revitalization Program.
- D. "Consistent" means that the action will fully comply with the LWRP policy standards and conditions and, whenever practicable, will advance one or more of them.
- E. "Direct actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rule making, procedure making and policy making.
- F. "Waterfront Assessment Form (WAF)" means the form used by an agency to assist it in determining the consistency of an action with the Local Waterfront Revitalization Program.
- G. "Local Waterfront Revitalization Program (LWRP)" means the Local Waterfront

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Town & Village of Waterford Local Waterfront Revitalization Program

Revitalization Program of the Town & Village of Waterford, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Village Clerk in the Village of Waterford.

IV. Review of Actions

- A. Whenever a proposed action is located in the Village's waterfront revitalization area, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards and conditions set forth in Paragraph H herein.
- B. Whenever an agency undertakes, funds or approves a Type I or Unlisted action, the agency must determine if the action will be undertaken within the waterfront area and, if so, prepare a Waterfront Assessment Form to assist with the consistency review.
- C. The agency shall refer a copy of the completed WAF to the Planning Board within ten (10) days of its submission and prior to making its determination, shall consider the recommendation of the Planning Board with reference to the consistency of the proposed action.
- D. In making its recommendation, the Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards. The agency engaging in the action is responsible for consistency and is not bound by the recommendation of the Planning Board.
- E. The Planning Board shall render a written recommendation within thirty (30) days following referral of the WAF from the agency, unless extended by mutual agreement of the Board and the applicant or agency. The recommendation shall indicate whether, in the opinion of the Planning Board, the proposed action is consistent with the LWRP policy standards. The Planning Board shall, along with the consistency recommendation, address specific policy standards as appropriate and suggest modifications to the action to make it consistent with such standards. In the event that the Planning Board's recommendation is not forthcoming within the specified time, the referring agency shall make its decision without the benefit of the Board's recommendation.
- E. If an agency determines that an action would not be consistent with one or more of the LWRP policy standards and conditions, such action shall not be undertaken unless the determining agency makes a written finding with respect to the proposed action that:
 - 1. No reasonable alternatives exist that would permit the action to be undertaken in a manner which will not substantially hinder the achievement

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of such LWRP policy standards and conditions;

2. The action would be undertaken in a manner which will minimize all adverse effects on such LWRP policy standards and conditions;
3. The action will advance one or more of the other LWRP policy standards and conditions; and
4. The action will result in an overriding City, regional or state-wide public benefit.

Such a finding will constitute a determination that the action is consistent with the LWRP policy standards and conditions.

- G. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Planning Board. Such files shall be made available for public inspection upon request.
- H. Actions to be undertaken within the waterfront area shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, which are derived from and further explained and described in Section III of the Town & Village of Waterford LWRP. In the case of direct actions, the agency shall also consult with Section IV of the LWRP in making their consistency determination. The action shall be consistent with the policies to:
 - (1) foster a pattern of development in the waterfront area that enhances community character, preserve open space, makes efficient use of infrastructure, make beneficial use of a waterfront location, and minimize adverse effects of development;
 - (2) protect the water-dependent and water-enhanced uses, promote siting of new water-dependent or water-enhanced uses in suitable locations, and support efficient marina operation;
 - (3) promote the sustainable use of fish and wildlife resources;
 - (4) protect and restore ecological resources, including significant fish and wildlife habitats, wetlands, and rare ecological communities;
 - (5) protect and improve water resources;
 - (6) minimize loss of life, structures, and natural resources from flooding and erosion;

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- (7) protect and improve air quality;
- (8) promote appropriate use and development of energy and mineral resources;
- (9) minimize environmental degradation from solid waste and hazardous substances and wastes;
- (10) improve public access to, and recreational use of, public lands, waters and resources of the waterfront revitalization area;
- (11) enhance visual quality and protect scenic resources; and
- (13) preserve historic resources.

V. Enforcement

The Fire Prevention and Building Inspector shall be responsible for enforcing this Chapter. No work or activity on a project in the waterfront area which is subject to review under this Chapter shall be commenced or undertaken until the Fire Prevention and Building Inspector has been presented with a written determination from an agency that the action is consistent with the Village's LWRP policy standards and conditions.

In the event that an activity is not being performed in accordance with this Chapter or any conditions imposed thereunder, the Fire Prevention and Building Inspector shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

VI. Violations

- A. Any person who shall violate any of the provisions of this local law shall be guilty of a violation and subject to one or more of the following remedies: (1) a fine not to exceed \$350.00 or imprisonment for a period not to exceed fifteen days, or both; or (2) a penalty of \$350.00 to be recovered by the Village in a civil action. The Board of Trustees of the Village of Waterford may also maintain an action or other proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of this law.
- B. The Village Attorney may be authorized by resolution of the Board of Trustees and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

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VII. Severability

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law as a whole or any part of provision hereof other than the provision so found to be invalid.

VIII. Effective Date

This local law shall take effect immediately upon its filing with the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Appendix B

Town & Village of Waterford Local Waterfront Revitalization Program

Town of Waterford Waterfront Overlay (WO) District

A. Purpose and intent.

The Town intends to protect the scenic corridors along the Erie and Champlain Canal Systems and Hudson and Mohawk Rivers, in accordance with the Local Waterfront Revitalization Program (LWRP), the Town and Village of Waterford Comprehensive Plan as well as regional and State Canal and River plans and goals. The purpose of the district is to maintain the undeveloped areas of the waterfronts and to provide a consistent level of protection of the visual, environmental and historic resources within the LWRP boundaries.

The Waterfront Overlay (WO) District has been overlaid onto existing zoning districts. All provisions of the underlying districts remain in full force, except where provisions of the WO District differ. In such cases, the more restrictive provision shall apply. The principal control mechanisms of the WO are construction setbacks from the waterline, restriction on the removal of natural vegetation within an established buffer zone adjacent to the waterline, restrictions on the removal of natural vegetation with an established buffer zone adjacent to the water, and performance standards governing land use activities within the District.

The specific purposes of this district include the following:

- (1) To preserve the existing community character and land use pattern;
- (2) To capitalize on opportunities to provide additional public access to the Hudson and Mohawk Rivers and Erie and Champlain Canal Systems;
- (3) To pursue funding sources for recreational improvements;
- (4) To maintain and improve the angling potential and water quality of the Hudson and Mohawk Rivers;
- (5) To minimize potentially adverse land uses, environmental and economic impacts that would result from proposed development; and,
- (6) To protect stable residential areas.

B. Boundary of the Overlay Zone.

The Waterfront Overlay Zone shall be the boundaries of the Local Waterfront Revitalization Program. The Map entitled “[LWRP Boundary](#)” within the LWRP illustrates the boundary of the LWRP.

C. Permitted uses

The underlying zoning district determines the permitted uses, accessory uses and special permit uses with the Waterfront Overlay District. Underlying districts within the WO include R-75, R-100, C-1, C-2, Industrial, Manufacturing, and Land Conservation.

D. Development regulations.

- (1) Setback requirements.

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Town & Village of Waterford Local Waterfront Revitalization Program

- (a) The minimum setback from the high watermark of the Erie and Champlain Canal shall be seventy-five (75) feet for principal and accessory buildings.
 - (b) The minimum setback from the high watermark of the Mohawk and Hudson Rivers shall be one hundred (100) feet for principal and accessory buildings.
 - (c) Structures demonstrated to be directly related to Canal and River business/use may be authorized within the required setback distance; in granting such authorizations, the Planning Board shall minimize any adverse impacts by imposing reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property.
- (2) Additional requirements and standards.
- (a) Fences, parking and signs shall not detract from water views and are subject to regulations contained in sub-sections 161-29, 161-30, and 161-31, respectively.
 - (b) Development shall not interfere with or in any way prohibit, hinder or discourage the public use of trails along the Canals and Rivers. Opportunities for trail links between recreational trails and proposed pedestrian walkways in new developments should be established.
- (3) Site Plan Review
- (a) Any proposed principal building or any proposed or expanded paved area of greater than five thousand (5,000) square feet that would be partially or entirely located within the boundaries of the Waterfront Overlay shall be submitted for review by the Planning Board.
 - (b) The Planning Board shall review such use to determine compliance with municipal ordinances and to determine the compatibility with the Local Waterfront Revitalization Program and the Comprehensive Plan.
 - (c) The following development guidelines shall be considered for all proposed development within the Waterfront Overlay District requiring Planning Board review.
 - 1. All new development shall be integrated into the existing landscape so as to minimize its visual impact and maintain the natural beauty and environmentally sensitive shoreline areas through erosion control and the use of vegetative and structural screening, landscaping and grading.
 - 2. All development shall have a pedestrian scale, e.g., street-side and waterfront building facades shall be oriented to pedestrian passersby.

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Town & Village of Waterford Local Waterfront Revitalization Program

3. Ground floors of buildings for commercial use shall be encouraged for such active uses as restaurants, retail and indoor recreation, especially when adjacent to public spaces.
4. Density pattern of new development shall complement current adjacent development and the unique historic environment.
5. Length of proposed contiguous structures shall be planned so as to establish and protect view corridors to the waterfront.
6. Coverage and building height requirements may be modified in specific instances so long as the overall development is consistent with goals and other design standards.
7. Development of new buildings should preserve the character of existing streets and buildings.
8. Architecture and design of buildings, structures and spaces shall be in keeping with the height, scale, density and character of adjoining neighborhoods. Street networks shall be continuous, pedestrian friendly and facilitate public gathering spaces.
9. The overall façade shall have a simple and complementary pattern to neighboring or typical buildings and shall be kept consistent across the building front, but may show deviation at important points to highlight the center of the building or the entry way(s) to the building.
10. Facades shall be designed as to appear inviting from both the street side and the waterfront side of the building without creating a “back door” appearance to either side.

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Town & Village of Waterford Local Waterfront Revitalization Program

Village of Waterford Waterfront Overlay (WO) District

A. Purpose and intent.

The Village intends to protect the scenic corridors along the Erie and Champlain Canal Systems and Hudson and Mohawk Rivers, in accordance with the Local Waterfront Revitalization Program (LWRP), the Town and Village of Waterford Comprehensive Plan as well as regional and State Canal and River plans and goals. The purpose of the district is to maintain the undeveloped areas of the waterfronts and to provide a consistent level of protection of the visual, environmental and historic resources within the LWRP boundaries.

The Waterfront Overlay (WO) District has been overlaid onto existing zoning districts. All provisions of the underlying districts remain in full force, except where provisions of the WO District differ. In such cases, the more restrictive regulations provision shall apply. The principal control mechanisms of the WO are construction setbacks from the waterline, restriction on the removal of natural vegetation within an established buffer zone adjacent to the waterline, restrictions on the removal of natural vegetation with an established buffer zone adjacent to the water, and performance standards governing land use activities within the District.

The specific purposes of this district include the following:

- (1) To preserve the existing community character and land use pattern;
- (2) To capitalize on opportunities to provide additional public access to the Hudson and Mohawk Rivers and Erie and Champlain Canal Systems;
- (3) To pursue funding sources for recreational improvements;
- (4) To maintain and improve the angling potential and water quality of the Hudson and Mohawk Rivers;
- (5) To minimize potentially adverse land uses, environmental and economic impacts that would result from proposed development; and,
- (6) To protect stable residential areas.

B. Boundary of the Overlay Zone

The Waterfront Overlay Zone shall be the boundaries of the Local Waterfront Revitalization Program. The Map entitled “[LWRP Boundary](#)” within the LWRP illustrates the boundary of the LWRP.

C. Permitted uses

The underlying zoning district determines the permitted uses, accessory uses and special permit uses within the Waterfront Overlay District. Underlying districts within the WO include Residence District, Residence S District, Residence M, Senior Citizen Housing, and Commercial District.

D. Development regulations.

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Town & Village of Waterford Local Waterfront Revitalization Program

- (1) Setback requirements.
 - (a) The minimum setback from the Erie and Champlain Canal wall shall be twenty-five (25) feet or the average set back of adjacent waterfront principal and accessory buildings within one hundred and fifty (150) feet of proposed development, whichever is greater.
 - (b) The minimum setback from the high watermark of the Mohawk and Hudson Rivers shall be twenty-five (25) feet or the average set back of other waterfront principle and accessory buildings within one hundred and fifty (150) feet, whichever is greater.
 - (c) Water dependent or water enhanced uses demonstrated to be directly related to Canal and River business/use may be authorized within the required setback distance; in granting such authorizations, the Planning Board shall minimize any adverse impacts by imposing reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property.
- (2) Additional requirements and standards.
 - (a) Fences, parking and signs shall not detract form water views and are subject to regulations contained in sub-sections 205-25, 205-26, and 205-27, respectively.
 - (b) Development shall not interfere with or in any way prohibit, hinder or discourage the public use of trails along the Canals and Rivers. Opportunities for trail links between recreational trails and proposed pedestrian walkways in new developments shall be established to the maximum extent practicable.
- (3) Site Plan Review
 - (a) Any proposed principal building or any proposed or expanded paved area of greater than five thousand (5,000) square feet that would be partially or entirely located with the boundaries of the Waterfront Overlay shall be submitted for review by the Planning Board.
 - (b) The Planning Board shall review such use to determine compliance with municipal laws and to determine the compatibility with the Local Waterfront Revitalization Program and the Comprehensive Plan.
 - (c) The following development guidelines shall be considered for all proposed development within the Waterfront Overlay District requiring Planning Board review.
 1. All new development shall be integrated into the existing landscape so as to minimize its visual impact and maintain the natural beauty and environmentally sensitive shoreline areas through erosion control and the

Town & Village of Waterford Local Waterfront Revitalization Program

- use of vegetative and structural screening, landscaping and grading.
2. Ground floors of buildings for commercial use shall be encouraged for such active uses as restaurants, retail and indoor recreation, especially when adjacent to public spaces.
 3. Density pattern of new development shall complement current adjacent development and the unique historic environment.
 4. Length of proposed contiguous structures shall be planned so as to establish and protect view corridors to the waterfront.
 5. Coverage and building height requirements may be modified in specific instances so long as the overall development is consistent with goals and other design standards.
 6. Development of new buildings should preserve the character of existing streets and buildings.
 7. Architecture and design of buildings, structures and spaces shall be in keeping with the height, scale, density and character of adjoining neighborhoods. Street networks shall be continuous, pedestrian friendly and facilitate public gathering spaces.
 8. The overall façade shall have a simple and complementary pattern to neighboring or typical buildings and shall be kept consistent across the building front, but may show deviation at important points to highlight the center of the building or the entry way(s) to the building.
 9. Facades shall be designed as to appear inviting from both the street side and the waterfront side of the building without creating a “back door” appearance to either side.

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SITE PLAN REVIEW LAW

Local Law No. 3 of the year 2007

Be it enacted by the Village Board of the Village of Waterford as follows:

§-1 Title.

This chapter shall be known as the “Village of Waterford Site Plan Review Law.” The Village of Waterford is hereinafter referred to as the “Village.”

§-2 Intent.

- A. Through site plan review, it is the intent of this chapter to promote the health, safety and general welfare of the Village. A clean, wholesome attractive environment is declared to be of importance to the health and safety of the inhabitants of the town, and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the Village and the general welfare of its inhabitants.
- B. It is also the intent of the this chapter to ensure the optimum overall conservation, protection, preservation, development and use of the natural and man-related resources of the Village by regulating land use activity within the Village through review and approval of site plans.

§-3 Applicability.

- A. Applicability or review requirements. All new land use activities within the Village shall require site plan review and approval before being undertaken, except the following:
 - (1) Ordinary landscaping or grading that is not conducted in connection with land use reviewable under the provisions of this chapter.
 - (2) Construction of one-or two-family dwellings and ordinary accessory structures, and related land use activities provided they are not located in the Waterfront Overlay District.
 - (3) Ordinary repair or maintenance or interior alterations to existing structures or uses.
 - (4) Exterior alterations or additions to existing structures that would not increase the square footage of the existing structure by more than 25%.
- B. Effect on existing uses. This chapter does not apply to uses and structures that are lawfully

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in existence as of the date this chapter becomes effective. Any use which would otherwise be subject to this chapter that has been discontinued for a period of one year or more or abandoned shall be subject to review pursuant to the terms of this chapter before such use is resumed. Any use or structure shall be considered to be in existence, provided that the same has been substantially completed as of the effective date of this chapter and fully constructed and completed within one year from the effective date of this chapter.

- C. Relationship of this chapter to other laws and regulations. To the extent that this law conflicts with any site plan rules previously adopted by the Planning Board, this chapter shall control.

§-4 Authority.

The Village of Waterford Planning Board shall review, approve, approve with modifications or disapprove site plans for land uses within the Village, as designated in pursuant to and in accordance with the standards and procedures set forth in this chapter.

§-5 Sketch plan.

- A. A sketch plan conference may be held between the Planning Board and the applicant prior to the preparation and submission of a formal site plan. The purposes of the conference are: 1) for the applicant to inform the Planning Board of the proposal prior to the preparation of a detailed site plan; 2) for the Planning Board to review the basic site design concept; 3) for the Planning Board to advise the applicant of potential problems with the site plan; and 4) for the Planning Board to determine what information will be required on the site plan. To accomplish these objectives, the applicant should provide the following documents, except as otherwise directed by the Planning Board:
- (1) A sketch, drawn to scale, showing the locations and dimensions of principal and accessory structures, parking areas, access signs (with descriptions), existing and proposed vegetation, and other planned features; anticipated changes in the existing topography and natural features; and, where applicable, measures and features to comply with flood hazard and flood insurance regulations,
 - (2) A sketch or map of the area that clearly shows the location of the site with respect to nearby streets, rights-of-way, properties, easements and other pertinent features, and
 - (3) A topographic or contour map of adequate scale and detail to show site topography.

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§-6 Application for site plan approval.

- A. An application for site plan approval shall be made in writing to the Planning Board on a form prescribed by it. It shall be accompanied by information contained in the “site plan checklist” set out in Paragraph (B) of this section insofar as applicable to the proposed project. If a sketch plan conference was held, the information that shall be provided will be that required by the checklist prepared at the conference.
- B. Site plan checklist:
- (1) Title of drawing, including name and address of applicant and person responsible for preparation of such drawing
 - (2) North arrow, scale and date
 - (3) Boundaries of the property plotted to scale
 - (4) Existing watercourses
 - (5) Grading and drainage plan, showing existing and proposed contours
 - (6) Location, design, type of construction, proposed use and exterior dimensions of all buildings
 - (7) Location, design and type of construction of all parking and truck loading areas, showing access and egress
 - (8) Provision for pedestrian access including sidewalks and street furniture
 - (9) Location of outdoor storage, if any
 - (10) Location, design and construction materials of all existing or proposed site improvements including drains, culverts, retaining walls and fences
 - (11) Description of the method of securing public water and location, design and construction materials of such facilities
 - (12) Location of fire and other emergency zones, including the location of fire hydrants
 - (13) Location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy
 - (14) Location, size and design and type of construction of all proposed sign
 - (15) Location and proposed development of all buffer areas, including existing vegetative cover
 - (16) Location and design of outdoor lighting facilities
 - (17) Identification of the location and amount of building area proposed for retail sales or similar commercial activity
 - (18) General landscaping plan and planting schedule
 - (19) An estimated project construction schedule
 - (20) Record of application for and approval status of all necessary permits from state and county officials
 - (21) Identification of any state or county permits required for the project’s execution

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- (22) Other elements integral to the proposed development as considered necessary by the Planning Board.

§ -7 Fees and costs.

- A. An application for site plan review shall be accompanied by a fee established by resolution of the board of Trustees.
- B. Reasonable costs incurred by the Planning Board for consultation fees or other extraordinary expenses in connection with the review of a proposed site plan may be charged to the applicant. The Planning Board may require that the applicant pay part or of the anticipated fees in advance into a Village escrow account.

§-8 Review of site plan.

The Planning Board's review of the site plan shall include, as appropriate, but is not limited to,-the following general considerations:

- A. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs;
- B. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls;
- C. Location, arrangement, appearance and sufficiency of off-street parking and loading;
- D. Adequacy and arrangement of pedestrian traffic access and circulation, sidewalks or walkways and overall pedestrian convenience;
- E. Adequacy of stormwater and drainage facilities;
- F. Adequacy of water supply and sewage disposal facilities;
- G. Adequacy, type and arrangement of trees, shrubs and other landscaping between the applicant's and adjoining lands, including the maximum retention of existing vegetation;
- H. Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants;
- I. Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding or erosion; and
- J. Overall impact on the neighborhood, including compatibility of building architecture and

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design considerations and potential effects on existing neighborhood quality of life.

§9 Determination of Complete Application and SEQRA.

Before determining whether an application for a site plan is complete, the Planning Board shall decide whether [under the State Environmental Quality Review Act (“SEQRA”); Environmental Conservation Law art. 8 and Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York or 6 N.Y.C.R.R. Part 617] the application requires the preparation of an environmental impact statement (“EIS”). No application for site plan review shall be deemed complete until either (1) the project has been determined to be a Type II action, (2) a “negative declaration” (the board’s determination that the project does not have any potentially significant adverse environmental impacts and therefore does not require the preparation of a draft environmental impact statement) has been issued or (3) a draft EIS has been accepted by the Planning Board or the lead agency as satisfactory with respect to scope, content and adequacy. In making a determination of “significance,” the Planning Board shall follow the procedures described in 6 N.Y.C.R.R. sections 617.6 and 617.7. With respect to the preparation of the environmental assessment form (“EAF”), the applicant shall submit the EAF with Part I completed; the Planning Board shall complete Part II, and Part III, if required, prior to making a determination of significance. Where the Planning Board has prepared or caused to be prepared a draft EIS and the draft EIS has been accepted as satisfactory with respect to scope, content and adequacy, the time frames for review of the application and decision-making shall be governed by 6 N.Y.C.R.R. sections 617.9 and 617.11 (or any successor regulations) in place of the timeframes specified in this local law.

§-10 Public hearing: notice.

The Planning Board shall conduct a public hearing on the site plan. Such hearing shall be held within sixty-two (62) days of the date that the Planning Board determines that the application for site plan review is complete. Legal notice of the public hearing shall be published in the Village’s official newspaper or, if there is none, in a newspaper of general circulation in the village at least five (5) days before the public hearing. Where the Planning Board has prepared or caused to be prepared a draft EIS, the notice of public hearing shall be published at least fourteen calendar days in advance of the public hearing; the public hearing shall commence no less than fifteen calendar days and no more than sixty calendar days after the filing of the notice of completion of the draft EIS by the Planning Board or the lead agency pursuant to 6 N.Y.C.R.R. section 617.12(a).

If review by the County Planning Agency [or board], is required under General Municipal Law §239-m, the Planning Board shall mail notice of the hearing to the County Planning Agency [or board] at least ten calendar days before the hearing.

Pursuant to General Municipal Law §239-nn, if a site plan application concerns property within 500 feet of the Village’s municipal boundaries, a copy of the public hearing notice shall be provided to the Clerk of the adjoining municipality.

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§-11 Decision of Planning Board.

The Planning Board shall make a decision on the application for a site plan review within sixty-two (62) calendar days after the public hearing or adjourned hearing date. For an application that is the subject of a final EIS, the Planning Board shall make a decision on the application within thirty calendar days after the filing of the final EIS. In making a decision on the application, the Planning Board may approve the application, approve the application with conditions or modifications, or both, or deny the application. The decision may consist of the draft minutes or the Planning Board may prepare a separate decision document, which shall be filed in five (5) business days of its decision on the application. The Planning Board shall mail or cause to be mailed to the applicant and any other party to the hearing a copy of its draft minutes constituting the decision or the separate written decision. The time within which the Planning Board must render its decision may be extended by agreement of the Board and the applicant.

A. Criteria for approval. In approving an application or approving an application with modifications or conditions, or both, the Planning Board shall find that the application meets the following criteria:

- (1) That the application conforms with any site development or design standards adopted by the Village.
- (2) That the application is consistent with the land use goals and objectives of the Comprehensive Plan of the Village of Waterford.
- (3) That the application is consistent with the Town and Village of Waterford Local Waterfront Revitalization Program.
- (3) That the application is consistent with other long range planning documents adopted by the Village of Waterford.

B. Approval. Upon approval of the site plan and payment by the applicant of all fees and reimbursable costs due the village, the Planning Board shall endorse its approval on a copy of the site plan and shall immediately file it and a written statement of approval with the Village Clerk. A copy of the written statement of approval shall be mailed to the applicant by certified mail, return receipt requested.

C. Approval with modifications. The Planning Board may conditionally approve the final site plan. A copy of the written statement containing the modifications required by the conditional approval will be mailed to the applicant by certified mail, return receipt requested. After adequate demonstration to the Planning Board that all conditions have been met and payment by the applicant of all fees and reimbursable costs due the Village, the Planning Board shall endorse its approval on a copy of the site plan and shall immediately file it and a written statement of approval with the Village Clerk. A copy of the written statement of approval shall be mailed to the applicant by certified mail, return receipt requested.

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- D. Disapproval. Upon disapproval of the site plan, the decision of the Planning Board shall immediately be filed with the Village Clerk and a copy thereof mailed to the applicant by certified mail, return receipt requested, along with the Planning Board's reasons for disapproval.

§-12 Referrals.

At least ten (10) days before the hearing on an application for site plan review, the Planning Board shall mail a notice thereof to the Saratoga County Planning Board if required by section two hundred thirty-nine-m of the General Municipal Law, which notice shall be accompanied by a full statement of such proposed action, as defined in subdivision one of section two hundred thirty-nine-m of the General Municipal Law.

§13 Performance Guarantee.

Performance guarantee and inspection of improvements. No certificate of occupancy shall be issued until all improvements shown on the site plan are installed or a sufficient performance guarantee has been posted for improvements not yet completed. The sufficiency of such performance guarantee shall be determined by the Village Board but may include a letter of credit or performance bond. The Zoning Inspector, or, if not the Zoning Inspector, then such other duly authorized person or persons as designated by the Village Board, shall be responsible for the overall inspection of site improvements, including coordination with the Planning Board and other officials and agencies, as appropriate.

§-14 Amendments.

All proposed amendments to the site plan review law not originating with the Planning Board, originating by petition or by motion of the Village Board shall be referred to the Planning Board for a report and recommendation thereon. The Planning Board shall submit its report within thirty (30) days after receiving such referral. Failure of the Planning Board to report within the required time shall be deemed to constitute a recommendation for approval of the proposed amendment.

§-15 Integration of procedures.

Whenever the circumstances of proposed development require compliance with this chapter and with any other local law, ordinance or requirement of the village, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this chapter with the procedural and submission requirements for such other compliance.

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**Town of Waterford
Town Zoning Code Change
TOWN OF WATERFORD**

Local Law No. 5 of the year 2008

Be it enacted by the Town Board of the Town of Waterford as follows:

Section 1. Reclassification of Area In Peebles Island That Is Currently Zoned Manufacturing.

3 All areas within Peebles Island that are currently zoned as Manufacturing, including M-1, M-2, or M-3 shall be re-zoned to Land Conservation and Recreation.

Section 2. Amendment to Town Zoning Map.

The [Town of Waterford Zoning map](#) shall be amended to reflect the aforementioned amendment.

Section 3. This local law shall take effect upon filing with the Office of the Secretary of State.