

SECTION V

TECHNIQUES FOR IMPLEMENTING THE PROGRAM

TECHNIQUES FOR IMPLEMENTING THE PROGRAM

Section V of the Webster LWRP is organized to present a clear understanding of how each of the applicable policies, proposed uses and projects for the program will be implemented.

The section includes a map of the zoning in the waterfront revitalization area (Map 4, page V-5), a summary of the legislative techniques that will implement the policies, and a list of projects that will also assist in implementing the policies.

Separate discussions on the following issues are also presented:

1. Methodology for meeting the legal requirements for local consistency;
2. Definition of the management structure and procedures necessary to implement the LWRP at the local level; and
3. Identification of funding sources.

Much of the legislation that was enacted as part of the LWRP reflects the work of the Irondequoit Bay Coordinating Committee. The Bay Committee was created under a cooperative agreement between the County of Monroe and the Towns of Irondequoit, Penfield and Webster. The New York State Department of Environmental Conservation, although not a formal party to the agreement, was a major participant in the work of the Committee.

The purpose of the Committee was to establish uniform regulations for public and private development in the Irondequoit Bay area. The environmental objectives and development management measures identified by the Committee were translated into legislation as part of the work completed for Section V of the LWRP.

TOWN OF WEBSTER

MONROE COUNTY NEW YORK

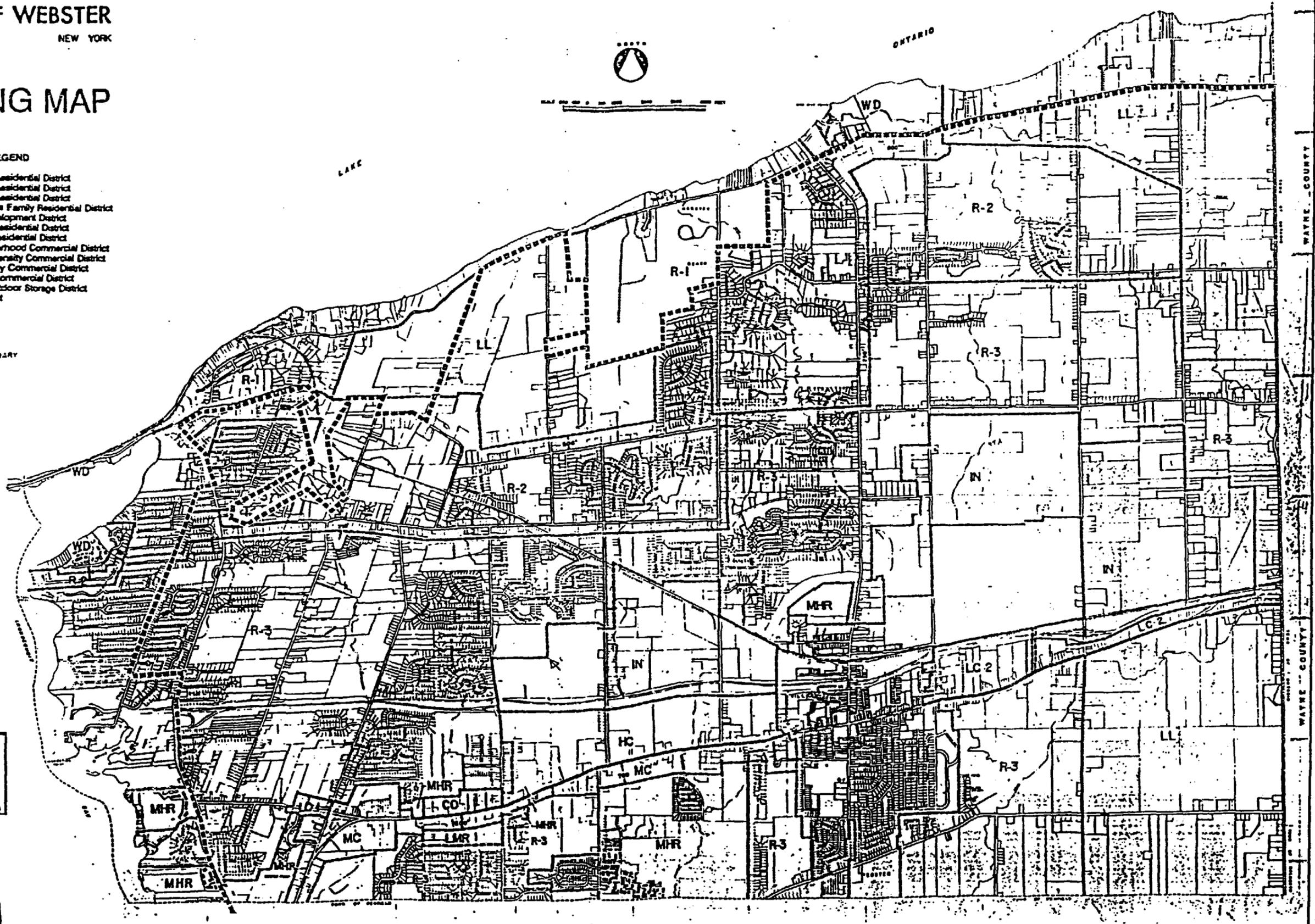
ZONING MAP

LEGEND

- R-1 • Single-Family Residential District
- R-2 • Single-Family Residential District
- R-3 • Single-Family Residential District
- LL • Large Lot Single Family Residential District
- WD • Waterfront Development District
- MHR • Medium High Residential District
- LMR • Low Medium Residential District
- LC 1 • Class I Neighborhood Commercial District
- LC 2 • Class II Low Intensity Commercial District
- MC • Medium Intensity Commercial District
- HC • High Intensity Commercial District
- CO • Commercial Outdoor Storage District
- IN • Industrial District

(Revised April 1993)
(Revised April 1994)

--- LWRP BOUNDARY



TOWN OF WEBSTER



202 ROAD,
WEBSTER, NY 14580 PHONE (716) 477-0000

LOCAL WATERFRONT
REVITALIZATION PROJECT

NY 202-44-P-22068

A. LOCAL LAWS AND REGULATIONS IMPLEMENTING THE LWRP

1. Drainage, Erosion And Sediment Control Ordinance, Chapter 104

The Drainage, Erosion and Sedimentation Control Ordinance, Chapter 104 of the Code of the Town of Webster, includes uniform erosion, sedimentation and storm water runoff control standards that are applied to all development activities within the LWRP boundary. These measures will ensure that surface and ground water runoff will be controlled as much as possible, that water quality impacts of such runoff will be reduced as much as possible, and that periodic monitoring of the water quality of public and private sector runoff discharges will be conducted to ensure compliance with State and Federal water quality standards. In addition, this ordinance contains development performance standards designed to reduce potential negative impacts of development activities on bay and lake water quality.

Chapter 104 provides for the control of site preparation and construction in order to preserve the quality of the natural environment including Lake Ontario and Irondequoit Bay, creeks, streams, ponds and other bodies of water, from the adverse impacts of site preparation and construction. A series of best management practices are referenced in the ordinance to ensure that potential negative impacts of development activities on bay and lake water quality through non-point discharge are minimized during and after project construction. The ordinance also includes provisions for the long-term maintenance of erosion protection structures within the LWRP boundary, as well as design and construction standards which will ensure erosion control.

2. Freshwater Wetlands, Chapter 130

Chapter 130 of the Code of the Town of Webster (Freshwater Wetlands) provides that the Town shall undertake and exercise its regulatory authority with regard to activities that are subject to regulation under the New York State Freshwater Wetlands Act.

3. Landfilling, Chapter 147

Chapter 147 (Landfilling) prohibits dumping of any refuse, rubbish, dirt, waste material or other objectionable substances into the streams, lakes, bays or waterways within the Town.

4. Sewers, Chapter 175

Chapter 175 (Sewers) Section 175-7 prohibits unsanitary disposal of wastes and discharge of untreated sewage.

5. Subdivision of Land, Chapter 192

Chapter 192 of the Code of the Town of Webster (Subdivision of Land) requires the use of public sewer systems for new development in the Town when such sewers are available, and

also outlines Town policies regarding standards for water lines, sewers and septic tanks constructed to service new development.

6. Water, Chapter 220

Chapter 220 of the Code of the Town of Webster (Water) outlines Town policies regarding standards for water lines constructed to service new development.

7. Zoning Ordinance, Chapter 225:

The following changes made to the Town's Zoning Ordinance implement the LWRP:

- a) The Environmental Protection Overlay District includes a uniform permit application and review procedure for development activities proposed within designated flood plain, steep slope, and woodlot areas. This detailed application and review procedure, which is contained within Chapter 225 of the Code of the Town of Webster (Zoning Ordinance), includes requirements for data submission by the applicant, Town review of this information, a public hearing process, and the grant or denial of permits. This process is to be coordinated with the appropriate state and/or federal reviews of development permit applications.

The Environmental Protection Overlay District includes specific regulations and review procedures for development proposed within 100-year flood plain areas. Development activities have to conform to the requirements of the National Flood Insurance Program. This district includes provisions for the preservation of natural flood protection features such as beaches, dunes, barrier islands and bluffs. Enlargement or re-use of pre-existing, non-conforming uses within this district are also regulated. Any buildings that receive a permit and are constructed within the 100-year flood plain are required to be flood proofed or constructed above the base flood level.

The Environmental Protection Overlay District includes specific regulations and review procedures for development proposed within designated steep slope areas. Development activities will be severely limited in these areas. Developers are required to determine the site soil conditions to ensure the stability of slopes and soils during and after construction activities. Steep slopes include all areas with a vertical slope of 15 percent or greater as well as a transition or buffer zone. Development activities will include clearing of vegetation, discharge of storm water, filling, cutting, grading and excavating. Non-structural management measures will be promoted to prevent damage to natural resources and property.

- b) The Waterfront Development District provided for in Chapter 225 of the Code of the Town of Webster Section 225-22 permits a variety of appropriate water and/or recreation-oriented uses at Nine Mile Point and the Sandbar. These uses include low and medium density residential development, yacht clubs, marinas,

hotels/boatels, restaurants, and parks/playgrounds/beaches. The regulations in this district include references to the permit review criteria to be used in reviewing certain proposed developments, as well as additional site design standards and site environmental factors to be used in reviewing all proposed development plans in the district. The district promotes aesthetic considerations within the waterfront revitalization area through the utilization of permit review criteria and site design standards by the Town Planning Board and will allow the Town to promote water-related recreational facilities within proposed developments whenever such uses are compatible with anticipated demand and the primary purpose of the development.

These permit review criteria include:

- * Access and traffic generating characteristics of the proposed use;
- * Utility service;
- * Relationship of the proposed use to existing natural features;
- * Fire protection service;
- * Relationship of the proposed use to bay water depth;
- * Relationship of the proposed use to the existing land-use and zoning pattern in the area; and
- * Relationship of the proposed use to specified site design considerations.

The permit review criteria apply to the following uses permitted within the Waterfront Development District:

- * Subdivisions
- * Multi-family (high rise residential development)
- * Restaurants and other commercial uses
- * Yacht clubs, marinas
- * Parks
- * Hotels, boatels
- * Combination of permitted uses

Specific Waterfront Development District and Town Planning Board regulations allow for the provision and/or maintenance of adequate open space and adequate access to the shoreline, and for the maintenance of important visual/aesthetic elements within proposed developments in the waterfront revitalization area.

The Waterfront Development District includes references to permit review criteria that will be used to ensure that public services and facilities essential to new development in a particular area within the LWRP boundary (including such things as site access and site utility service) are adequate before such development is permitted. Site design standards for highway construction and general access for all proposed waterfront development within the LWRP boundary are also included in this district.

- c) Docks, berthing or moorings can be erected, located, moved or structurally altered according to the permit and review procedures provided for in Chapter 225 of the Code of the Town of Webster Article IV.

These permit review criteria include:

- * The adequacy and arrangement of dockage facilities, the location and design of such structures, control of boat traffic and overall convenience and safety in the sit;
- * The adequacy of the design elements of the plan to enhance the aesthetics aspects of the project;
- * The adequacy, location and design of accessory and service facilities for dock users;
- * The location, arrangement, size and design of lighting, signage and other incidental systems;
- * The adequacy of provisions for access to the shore zone from dockage or mooring;
- * The aesthetic and architectural qualities of the dockage, particularly building styles and construction material sued, as they relate to the unique characteristics of the surrounding natural environment; and
- * The effect upon unique natural resources, potential conflicts with other water surface uses, fish and wildlife habitat and aquatic vegetation on the site.

The permit review criteria apply to the dock plans accessory to or incidental to or included with the following uses:

- * A single-family detached dwelling, multiple-family dwelling or townhouse dwelling;
 - * Public parks, playgrounds or similar public recreational uses authorized or operated by a public agency and not operated for profit;
 - * Parks, playgrounds or other similar private recreational uses authorized or operated by homeowners associations comprised of owners of single family detached dwellings, multiple-family dwellings or townhouse dwellings and not operated for profit;
 - * Municipally owned and/or operated buildings or structures and other governmental uses and activities;
 - * Private clubs or camps, private membership clubs, lodges or fraternal organizations, neighborhood or community centers, or other similar uses;
 - * Restaurants, yacht clubs, hotels, stores, shops or other similar uses;
 - * Marinas, docking basins, boat launching ramps, mooring facilities, boat service, repair or storage facilities;
 - * Public utility buildings or structures.
- d) Chapter 225 of the Code of the Town of Webster (Zoning Ordinance) Section 225-71 prohibits dumping of waste, refuse or any other substance without approval from the Town Board.
- e) The Town Planning Board Section contains detailed site plan review procedures, permit review criteria, and additional site design standards and site environmental factors for the review of all development proposals within the waterfront revitalization area. The section contains permit review criteria that will be utilized to ensure that new development is adequately serviced by utilities and public roads. These criteria also consider the anticipated impacts of the proposed development on significant fish and wildlife habitats identified within the LWRP boundary. Projects that do not attempt to mitigate these impacts will not be granted development permits. Standards have been established (site design considerations and permit review criteria) which provide for increased public access to the shoreline as part of the development approval process and which also outline design criteria for such access. Site design considerations contained in this section outline recommended building heights, provisions for landscaping, vegetation and

screening, and criteria for the use of appropriate building scales, shapes, forms and materials.

The Town Planning Board Section contains detailed site plan review procedures for water dependent and water enhanced recreational uses proposed within the LWRP boundary. Permit review criteria that will be utilized to encourage these uses over other forms of development along the waterfront revitalization area are contained in this section. The Town Planning Board Section also contains detailed site plan review procedures, permit review criteria, and site design standards that promote the integration of waterfront features, such as boat moorings, docks, walkways and recreational easements, into new development plans, whenever possible, based on the nature of the proposed site and development, and the anticipated demand for such facilities.

The Town Planning Board Section contains detailed site plan review procedures for any significant historic structures or archeological or cultural areas within the site. The criteria will also be utilized to determine whether or not the proposed development impacts any of those buildings or areas. If the proposed project does impact one of the structures or areas identified, then mitigation measures to protect that area or structure must be taken or else the permit will be denied.

The section also outlines a step-by-step process that will be utilized to review all development applications and to grant or deny development permits. Mandated state and/or federal reviews of proposed projects are incorporated into the local review process in this section.

B. OTHER PUBLIC AND/OR PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

In addition to the regulatory measures described in the preceding part, several other public and private actions will be necessary to assure implementation of the LWRP. These actions include:

1. Development of the Nine Mile Point site into a unique, mixed-use waterfront area that would include water-related commercial uses, low to medium density residential development, restaurants, marinas and/or boat launches.
2. Improvement and expansion by the County of public recreational facilities within Webster Park, to include acquisition of additional land for park purposes and construction of a 4-ramp boat launch, new parking areas, new trails, picnic areas and lake overlooks.
3. Investigation by the Town of the feasibility of locating a Town boat-launch facility in various waterfront areas.

4. Maintenance of the public ownership of the Conrail Railroad right-of-way located on the Sandbar, and the development by the Town or County of that right-of-way into a pedestrian walkway and/or bikepath.
5. Investigation, by the Town, of marking the Denonville Indian Trail as a pedestrian/hiking trail along Irondequoit Bay.
6. Land uses permitted within the Town's LWRP boundary are restricted to residential, recreational and marina-related commercial. All of these land uses are unlikely to significantly impact air quality within the LWRP area or the Town. The Monroe County Health Department currently monitors air quality on a periodic basis to ensure that provisions of the Federal Clean Air Act are met within the county.

C. TOWN OF WEBSTER MANAGEMENT STRUCTURE

See Exhibit V-1, page V-17, for a chart of the management structure. The Webster Town Board shall serve as the lead agency for the LWRP. The Town of Webster's Commissioner of Public Works and his/her department shall be the local administrator responsible for the overall management and coordination of the LWRP. The Commissioner shall be responsible for the following specific activities relative to implementation:

- * Coordinating the review and approval process of the legislative changes recommended as part of the LWRP;
- * Overseeing all actions required for the implementation of policies and projects of the LWRP, e.g., code enforcement activities, capital improvements programming, federal and state grant applications, and coordination of activities with other governmental and private entities;
- * Preparing the environmental assessment for actions occurring within the LWRP boundary which will determine consistency with the policies and projects of the LWRP;
- * Participating in the State or Federal consistency review process for monitoring and reviewing proposed State and Federal actions as provided for by State and Federal laws and regulations; and
- * Providing to the Town Board, Planning Board or Zoning Board of Appeals findings on the consistency of proposed actions with the policies and purposes of the LWRP.

The Town anticipates the assistance of the Monroe County Planning Office in the process of ordinance adoption and the establishment of additional review and permit requirements proposed

to implement the LWRP. It is anticipated that this will also result in additional work load for the Webster Department of Public Works and the Building Department.

In general, the Town's procedures for assuring compliance with the coastal policies of its LWRP consist of the administration and enforcement of zoning, the consistency law and other local laws applicable to its waterfront in conjunction with the environmental review procedures required by the State Environmental Quality Review Act (SEQRA). Each proposed action by the Town to directly undertake or to permit, fund or otherwise approve a project, use or activity within the waterfront area will be processed as follows:

In keeping with NYCRR Part 617.5, the Commissioner of Public Works will review each such project, use or activity in consultation with the applicant and/or other involved parties. This review will identify:

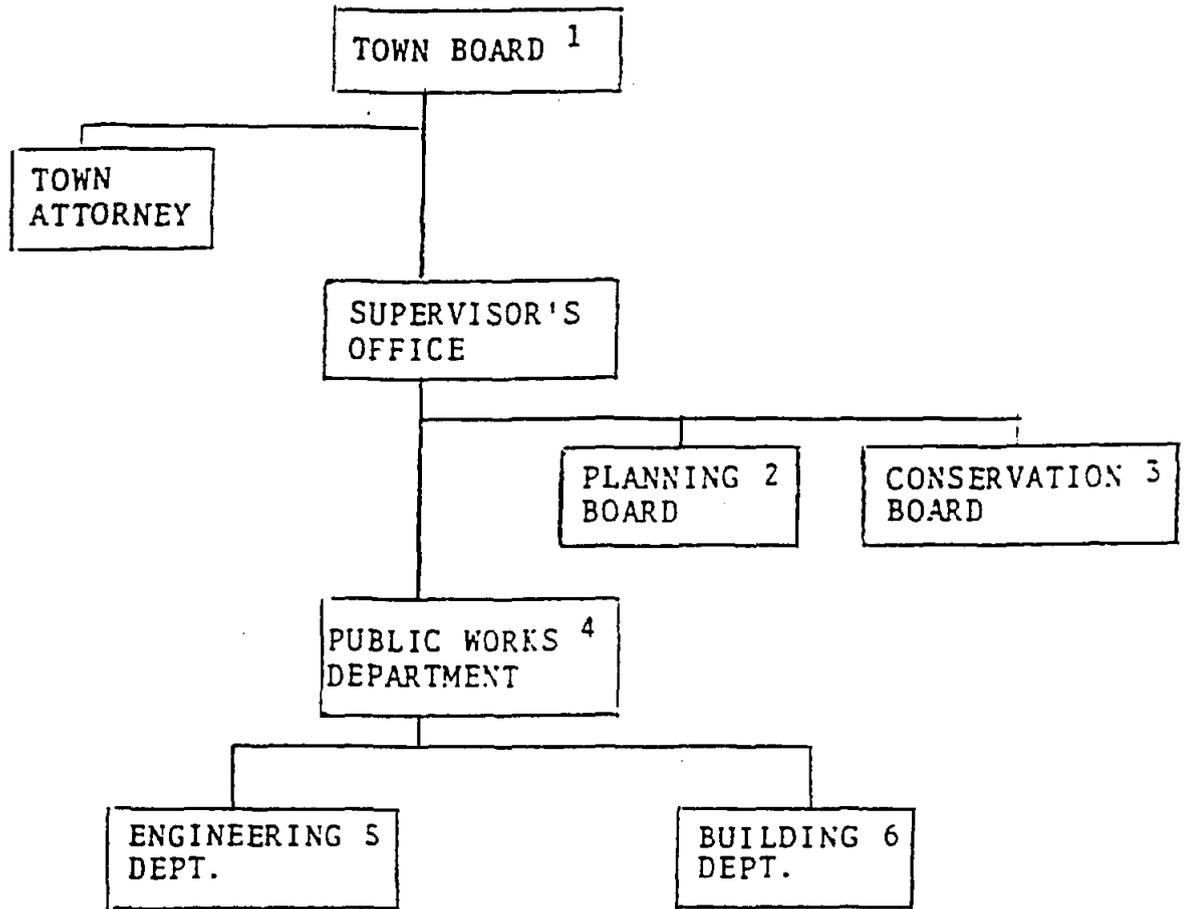
1. all Town actions required (permits, funding or approvals) and the board, department, officer or other body responsible for the actions;
2. whether the actions are Type I or Unlisted Actions and therefore subject to the provisions of SEQRA;
3. whether the actions might conflict with the LWRP; and
4. Any other agencies that are involved.

The Commissioner of Public Works will advise the applicant and/or other involved parties regarding the initial review, required forms and further procedures to be followed. In addition, the Commissioner of Public Works will provide assistance in the preparation of:

1. Town application forms;
2. Environmental Assessment Forms (EAF's) for all Type I and Unlisted Actions; and
3. Coastal Assessment Forms (CAF's) for actions subject to SEQR involving permits, funding or approvals from State or federal agencies.

Upon receipt of completed EAF's, CAF's and, if appropriate, Town application forms, the Commissioner of Public Works will immediately initiate procedure in accordance with 6 NYCRR Parts 617.6 and 617.7. At the same time, if any actions are determined in the initial review to involve potential conflicts with the policies and purposes of the LWRP, they will be referred to the Planning Board for consistency review. Upon referral the Planning Board will, within thirty (30) days from the date of referral, prepare a written report to the lead agency rendering an opinion as to whether the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards or conditions including a written elaboration of that opinion and the basis therefore. If the action is subject to site plan approval by the Planning Board, the Planning Board shall integrate the consistency review with the site plan review procedures to the maximum extent practicable, provided that the provisions of SEQRA have been satisfied before taking action on such site plans.

MANAGEMENT STRUCTURE
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
TOWN OF WEBSTER



- 1 PRIMARY RESPONSIBILITY FOR ADOPTING POLICIES, LOCAL LAWS AND ORDINANCES IMPLEMENTING LWRP.
- 2 PRIMARY RESPONSIBILITY FOR REVIEW & APPROVAL OF DEVELOPMENT WITHIN THE LWRP.
- 3 REVIEW AND RECOMMENDATION ON ALL ENVIRONMENTAL PROTECTION PERMITS.
- 4 DEPARTMENT WITH PRIMARY RESPONSIBILITY FOR LWRP ADMINISTRATION.
- 5 DIVISION RESPONSIBLE FOR PLANNING BOARD AND CONSERVATION BOARD STAFF SUPPORT.
- 6 DIVISION RESPONSIBLE FOR OPERATIONS AND ENFORCEMENT.

The lead agency will make its determination of consistency based on the CAF, the recommendation of the Planning Board, and such other information as is deemed necessary in its determination. The lead agency shall have the authority, in its findings of consistency, to impose practicable and reasonable conditions on an action to ensure that it is carried out in accordance with the Waterfront Consistency Review Law.

The Town will review State and Federal actions which are proposed for the Webster waterfront area in accordance with procedures established by the New York State Department of State. These procedures are found in Appendix 1 of this section.

D. LOCAL FINANCIAL RESOURCES

Financial resources which may be needed for implementation of the LWRP would come from several sources:

1. Local (Town and County) investment, for any actual projects described in Section IV;
2. Local investment, for the general supervision and management of the program; and
3. Private investment, for development activities.

In addition to the costs associated with the management of Webster's Local Waterfront Revitalization Program and the implementation of code revisions, there are five projects which require local investment at the Town/County level. These projects are:

- * Webster Park redevelopment;
- * Bridge replacement study;
- * Purchase and development of the abandoned Hojack Line as a pedestrian walkway and bikeway;
- * Construction, upgrading, or replacement of infrastructure facilities in older waterfront neighborhoods on an as needed basis; and
- * Potential acquisition of a privately owned landfill site and conversion to a passive recreational facility.

The Webster Beach Park Redevelopment Project will be funded through the Monroe County Capital Improvements Program. Short-term improvements are expected to cost between \$750,000 and \$950,000, long-term improvements between \$5,500,000 and \$6,000,000. The Monroe County legislature authorized an expenditure of up to \$100,000 for the bridge replacement study. No funds have been specifically earmarked for the Hojack Line, pending negotiations with the New York State Department of Transportation and Department of Parks and Outdoor Recreation.

These projects and actions are in addition to those which have been identified as the responsibility of the State. Such projects and actions include:

- * Completion of the Irondequoit Bay opening project and the construction of the jetty at the Bay opening; and
- * Boat launch feasibility study authorized by the State Legislature.

Funds for those undertakings identified as the Town and/or County's responsibility will be raised through one or more of the following financing techniques:

- * Financing projects and management with current revenues, paying cash instead of borrowing against future revenues;
- * Bond issues, including: general obligation bonds (backed by full faith and credit of the municipality); special assessment bonds (levied against owners of property directly benefitting from improvements); revenue bonds (which pledge income from a specific enterprise);
- * Short-term notes issued by local banks;
- * Revenue funds, funds accumulated in advance for construction of capital projects;
- * Lease purchase agreements enabling private companies and authorities to build and lease public works facilities from the municipality;
- * Authority and special districts created to manage facilities which are supported by user charges; and
- * State and Federal aid including: Community Development Urban County Block Grants, Federal revenue sharing, New York State Land and Water Conservation Program, New York State Neighborhood Park and Land Acquisition Program, State revenue sharing and Special Municipal Aid. In addition to the provision of local funds, the successful implementation of several of the Local Waterfront Revitalization Programs proposed projects, e.g., Stony Point, Willow Point, Nine Mile Point, will depend upon major investments on the part of the private sector as well as the Town's ability to take a strong leadership role in working with property owners and potential investors to provide an effective framework for local public/private cooperation. By so doing, the Town will encourage the types of private sector participation and investment which will be essential to the successful implementation of the residential and mixed-use developments discussed in Section IV.

E. SUMMARY OF IMPLEMENTATION OF LWRP POLICIES THROUGH LEGISLATION AND OTHER ACTIONS

POLICY 1

a. Legislation That Implements This Policy:

The following changes made to the Town's Zoning Ordinance as a result of the LWRP implement the above policy:

1. The Waterfront Development District provided for in Chapter 225 of the Code of the Town of Webster Section 225-22 permits a variety of appropriate water and/or recreation-oriented uses at Nine Mile Point and the Sandbar. These uses include low and medium density residential development, yacht clubs, marinas, hotels/boatels, restaurants, and parks/playgrounds/beaches. The regulations in this district include references to the permit review criteria to be used in reviewing certain proposed developments, as well as additional site design standards and site environmental factors to be used in reviewing all proposed development plans in the district. The district promotes aesthetic considerations within the waterfront revitalization area through the utilization of permit review criteria and site design standards by the Town Planning Board.

These permit review criteria include:

- * Access and traffic generating characteristics of the proposed use;
- * Utility service;
- * Relationship of the proposed use to existing natural features;
- * Fire protection service;
- * Relationship of the proposed use to bay water depth;
- * Relationship of the proposed use to the existing land-use and zoning pattern in the area; and
- * Relationship of the proposed use to specified site design considerations.

The permit review criteria apply to the following uses permitted within the Waterfront Development District:

- * Subdivisions

- * Multi-family (high rise residential development)
- * Restaurants and other commercial uses
- * Yacht clubs, marinas
- * Parks
- * Hotels, boatels
- * Combination of permitted uses

2. Docks, berthing or moorings can be erected, located, moved or structurally altered according to the permit and review procedures provided for in Chapter 225 of the Code of the Town of Webster Article IV.

These permit review criteria include:

- * The adequacy and arrangement of dockage facilities, the location and design of such structures, control of boat traffic and overall convenience and safety in the sit;
- * The adequacy of the design elements of the plan to enhance the aesthetics aspects of the project;
- * The adequacy, location and design of accessory and service facilities for dock users;
- * The location, arrangement, size and design of lighting, signage and other incidental systems;
- * The adequacy of provisions for access to the shore zone from dockage or mooring;
- * The aesthetic and architectural qualities of the dockage, particularly building styles and construction material sued, as they relate to the unique characteristics of the surrounding natural environment; and
- * The effect upon unique natural resources, potential conflicts with other water surface uses, fish and wildlife habitat and aquatic vegetation on the site.

The permit review criteria apply to the dock plans accessory to or incidental to or included with the following uses:

- * A single-family detached dwelling, multiple-family dwelling or townhouse dwelling;
 - * Public parks, playgrounds or similar public recreational uses authorized or operated by a public agency and not operated for profit;
 - * Parks, playgrounds or other similar private recreational uses authorized or operated by homeowners associations comprised of owners of single family detached dwellings, multiple-family dwellings or townhouse dwellings and not operated for profit;
 - * Municipally owned and/or operated buildings or structures and other governmental uses and activities;
 - * Private clubs or camps, private membership clubs, lodges or fraternal organizations, neighborhood or community centers, or other similar uses;
 - * Restaurants, yacht clubs, hotels, stores, shops or other similar uses;
 - * Marinas, docking basins, boat launching ramps, mooring facilities, boat service, repair or storage facilities;
 - * Public utility buildings or structures.
3. The Town Planning Board Section contains detailed site plan review procedures, permit review criteria, and additional site design standards and site environmental factors for the review of all development proposals within the waterfront revitalization area.
 4. Specific Waterfront Development District and Town Planning Board regulations allow for the provision and/or maintenance of adequate open space and adequate access to the shoreline, and for the maintenance of important visual/aesthetic elements within proposed developments in the waterfront revitalization area.
- b. Additional Public And/or Private Actions That Implement This Policy:**
1. Development of the Nine Mile Point site into a unique, mixed-use waterfront area that would include water-related commercial uses, low to medium density residential development, restaurants, marinas and/or boat launches.

2. Improvement and expansion by the County of public recreational facilities within Webster Park, to include acquisition of additional land for park purposes and construction of a 4-ramp boat launch, new parking areas, new trails, picnic areas and lake overlooks.
3. Investigation by the Town of the feasibility of locating a Town boat-launch facility in various waterfront areas.
4. Maintenance of the public ownership of the Conrail Railroad right-of-way located on the Sandbar, and the development by the Town or County of that right-of-way into a pedestrian walkway and/or bikepath.

POLICY 2

a. Legislation That Implements This Policy:

See 1., 2. and 3. under A. on pages V-7, V-8 & V-9.

b. Additional Public And/or Private Actions That Implement This Policy:

See 1. - 4. under B. on page V-10.

POLICY 3: NOT APPLICABLE.

POLICY 4: NOT APPLICABLE.

POLICY 5

a. Legislation That Implements This Policy:

Two changes made to the Town's Zoning Ordinance as a result of the LWRP implement the above policy:

1. The Waterfront Development District includes references to permit review criteria that will be used to ensure that public services and facilities essential to new development in a particular area within the LWRP boundary (including such things as site access and site utility service) are adequate before such development is permitted. Site design standards for highway construction and general access for all proposed waterfront development within the LWRP boundary are also included in this district.
2. The Town Planning Board Section contains detailed site plan review procedures for all development proposals within the LWRP. The section contains permit review criteria that will be utilized to ensure that new development is adequately serviced by utilities and public roads.

Chapter 175 of the Code of the Town of Webster (Sewers), Chapter 220 of the Code of the Town of Webster (Water), and Chapter 192 of the Code of the Town of Webster (Subdivision of Land) require the use of public sewer systems for new development in the Town when such sewers are available, and also outline Town policies regarding standards for water lines, sewers and septic tanks constructed to service new development.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 6

a. Legislation That Implements This Policy:

Two changes made to the Town's Zoning Ordinance as a result of the LWRP implement the above policy:

1. The Town Planning Board Section contains detailed site plan review procedures for all development proposals within the LWRP. The section outlines a step-by-step process that will be utilized to review all development applications and to grant or deny development permits. Mandated state and/or federal reviews of proposed projects are incorporated into the local review process in this section.
2. The Environmental Protection Overlay District includes a uniform permit application and review procedure for development activities proposed within designated flood plain, steep slope, and woodlot areas. This detailed application and review procedure, which is contained within Chapter 225 of the Code of the Town of Webster (Zoning Ordinance), includes requirements for data submission by the applicant, Town review of this information, a public hearing process, and the grant or denial of permits. This process is to be coordinated with the appropriate state and/or federal reviews of development permit applications.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 7

a. Legislation That Implements This Policy:

Two changes made to the Town's Zoning Ordinance as a result of the LWRP implement the above policy:

1. The Environmental Protection Overlay District includes specific regulations and review procedures for development proposed within designated woodlot areas.

Development activities will be limited and will be subject to a permit procedure. By preserving woodlot areas within the LWRP boundary, important wildlife habitat areas will also be preserved and protected.

2. The Town Planning Board Section contains the permit review criteria that will be utilized to approve or deny development proposals for certain uses. These criteria consider the anticipated impacts of the proposed development on significant fish and wildlife habitats identified within the LWRP boundary. Projects that do not attempt to mitigate these impacts will not be granted development permits.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 8

a. Legislation That Implements This Policy:

Chapter 104 of the Code of the Town of Webster (Drainage, Erosion & Sedimentation) provides for the control of site preparation and construction in order to preserve the quality of the natural environment including Lake Ontario and Irondequoit Bay, creeks, streams, ponds and other bodies of water, from the adverse impacts of site preparation and construction. Chapter 130 of the Code of the Town of Webster (Freshwater Wetlands) provides that the Town shall undertake and exercise its regulatory authority with regard to activities that are subject to regulation under the New York State Freshwater Wetlands Act. Chapter 225 of the Code of the Town of Webster (Zoning Ordinance) Section 225-71 prohibits dumping of waste, refuse or any other substance without approval from the Town Board. Chapter 175 (Sewers) Section 175-7 prohibits unsanitary disposal of wastes and discharge of untreated sewage. In addition, those State laws listed under Policy 8 in Section III are implementation measures for this policy.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 9

a. Legislation That Implements This Policy:

The Waterfront Development District permits a variety of appropriate water and/or recreation oriented uses at Nine Mile Point and the Sandbar. These uses include yacht clubs, marinas, parks, beaches and associated facilities that permit increased access to Irondequoit Bay and Lake Ontario fish and wildlife resources. In addition, this district requires that adequate access be provided to the waterfront revitalization area within new developments and that adequate vehicular access be provided to the development site.

b. Additional Public And/or Private Actions That Implement This Policy:

See 1. and 2. under B. on page V-10.

POLICY 10: NOT APPLICABLE.

POLICY 11

a. Legislation That Implements This Policy:

The Environmental Protection Overlay District includes specific regulations and review procedures for development proposed within 100-year flood plain areas. Development activities have to conform to the requirements of the National Flood Insurance Program. Enlargement or re-use of pre-existing, non-conforming uses within this district are also regulated.

The Environmental Protection Overlay District includes specific regulations and review procedures for development proposed within designated steep slope areas. Development activities will be severely limited in these areas. Developers are required to determine the site soil conditions to ensure the stability of slopes and soils during and after construction activities. Steep slopes include all areas with a vertical slope of 15 percent or greater as well as a transition or buffer zone.

b. Additional Public And/or Private Actions That Implement Policy:

None required or identified.

POLICY 12

a. Legislation That Implements This Policy:

1. The Environmental Protection Overlay District includes specific regulations and review procedures for development proposed within designated 100-year flood plain areas. Development activities have to conform to the requirements of the National Flood Insurance Program. This district includes provisions for the preservation of natural flood protection features such as beaches, dunes, barrier islands and bluffs.

The Environmental Protection Overlay District includes specific regulations and review procedures for development proposals within designated steep slope areas. Development activities will be severely limited in these areas. Developers are required to ensure the stability of slopes and soils during and after construction activities. Steep slopes include all areas with a vertical slope of 15 percent or greater as well as a transition or buffer zone. Development activities will include

clearing of vegetation, discharge of storm water, filling, cutting, grading and excavating. Non-structural management measures will be promoted to prevent damage to natural resources and property.

2. The Drainage, Erosion, and Sedimentation Control Ordinance includes uniform erosion, sedimentation and storm water runoff control standards that will be applied to all development activities within the LWRP boundary. These measures will further ensure the stability of steep slope areas. A series of best management practices are referenced in the ordinance to ensure that potential negative impacts of development activities on bay and lake water quality through non-point discharge are minimized during and after project construction. The ordinance also includes provisions for the long-term maintenance of erosion protection structures within the LWRP boundary, as well as design and construction standards which will ensure erosion control.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 13

a. Legislation That Implements This Policy:

See 2. above.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 14

a. Legislation That Implements This Policy:

See 1. under A. on page V-14.

See 2. above.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 15

a. Legislation That Implements This Policy:

State regulations are adequate to implement the LWRP policies. The New York State Department of Environmental Conservation regulates dredging activities in shoreline and wetland areas. These regulations are comprehensive in nature and address actions according to their potential to interfere with the natural coastal processes which supply beach material, as well as their potential for increasing soil erosion and sedimentation. In addition, the Town of Webster Zoning Ordinance prohibits commercial mining and quarrying operations of any kind within the Town, thereby protecting the upland areas within the LWRP boundary.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 16

a. Legislation That Implements This Policy:

See 2. on page V-15.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 17

a. Legislation That Implements This Policy:

The Environmental Protection Overlay District includes specific regulations and review procedures for development proposed within designated 100-year flood plain areas. Development activities will conform to the requirements of the National Flood Insurance Program. Any buildings that receive a permit and are constructed within the 100-year flood plain are required to be flood proofed or constructed above the base flood level.

See 1. under A. on page V-14.

See 2. on page V-15.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 18

a. Legislation That Implements This Policy:

None required or identified.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 19

a. Legislation That Implements This Policy:

The Town Planning Board Section contains detailed site plan review procedures for all development proposals within the LWRP. Standards have been established within these procedures (site design considerations and permit review criteria) which provide for increased public access to the shoreline as part of the development approval process and which also outline design criteria for such access.

b. Additional Public And/or Private Actions That Implement This Policy:

See 1. - 4. under B. on pages V-10.

POLICY 20

a. Legislation That Implements This Policy:

The Town Planning Board Section contains detailed site plan review procedures for water dependent and water enhanced recreational uses proposed within the LWRP boundary. Permit review criteria that will be utilized to encourage these uses over other forms of development along the waterfront revitalization area are contained in this section.

b. Additional Public And/or Private Actions That Implement This Policy:

See 2., 3. and 4. under B. on pages V-10.

POLICY 21

a. Legislation That Implements This Policy:

See 1., 2. and 3. under A. on pages V-7, V-8 and V-9.

See A. under Policy 20.

b. Additional Public And/or Private Actions That Implement This Policy:

See 1. - 4. under B. on pages V-10.

Investigation by the Town of marking the Denonville Indian Trail as a pedestrian/hiking trail along Irondequoit Bay.

POLICY 22

a. Legislation That Implements This Policy:

1. The Waterfront Development District permits a variety of appropriate water and/or recreation-oriented uses at Nine Mile Point and the Sandbar. The regulations in this district include references to the permit review criteria and site design standards that will allow the Town to promote water-related recreational facilities within proposed developments whenever such uses are compatible with anticipated demand and the primary purpose of the development.
2. The Town Planning Board Section contains detailed site plan review procedures, permit review criteria, and site design standards that will be utilized in the review of all development proposals within the waterfront revitalization area. These criteria and standards promote the integration of waterfront features, such as boat moorings, docks, walkways and recreational easements, into new development plans, whenever possible, based on the nature of the proposed site and development, and the anticipated demand for such facilities.

b. Additional Public And/or Private Actions That Implement This Policy:

None required or identified.

POLICY 23

a. Legislation That Implements This Policy:

The Town Planning Board Section contains detailed site plan review procedures for all development proposals within the LWRP and the permit review criteria that will be utilized to approve or deny development proposals for certain uses. These criteria require the identification of any significant historic structures or archeological or cultural areas within the site. The criteria will also be utilized to determine whether or not the proposed development impacts any of those buildings or areas. If the proposed project does impact one of the structures or areas identified, then mitigation measures to protect that area or structure must be taken or else the permit will be denied.

b. Additional Public And/or Private Actions That Implement This Policy:

See 1. - 2. under B. on page V-10.

Investigation by the Town of marking the Denonville Indian Trail as a pedestrian/hiking trail along Irondequoit Bay.

POLICY 24: NOT APPLICABLE.

POLICY 25

a. Legislation That Implements this Policy:

The Town Planning Board Section contains detailed site plan review procedures for all development proposals within the waterfront revitalization area, and the permit review criteria that will be utilized to approve or deny development proposals for certain uses. Site design considerations contained in this section outline recommended building heights, provisions for landscaping, vegetation and screening, and criteria for the use of appropriate building scales, shapes, forms and materials.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 26: NOT APPLICABLE.

POLICY 27

a. Legislation That Implements this Policy:

State legislation implements this policy.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 28

a. Legislation That Implements this Policy:

State legislation implements this policy.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 29: NOT APPLICABLE.

POLICY 30

a. Legislation That Implements this Policy:

1. State legislation, listed under Policy 8 in Section III, implements this policy.
2. The Town of Webster Zoning Ordinance, Chapter 225, Section 225-71, of the Code of the Town of Webster, prohibits dumping of waste, refuse or any other substance within the Town without approval from the Town Board. The Code of the town of Webster, Chapter 175 (Sewers), Section 175-7, prohibits unsanitary disposal of wastes and discharge of untreated sewage.
3. The Drainage, Erosion and Sedimentation Control Ordinance, Chapter 104 of the Code of the Town of Webster, includes uniform erosion, sedimentation and storm water runoff control standards that will be applied to all development activities within the LWRP boundary. These measures will ensure that surface and ground water runoff will be controlled as much as possible, that water quality impacts of such runoff will be reduced as much as possible, and that periodic monitoring of the water quality of public and private sector runoff discharges will be conducted to ensure compliance with State and Federal water quality standards. In addition, this ordinance contains development performance standards designed to reduce potential negative impacts of development activities on bay and lake water quality.
4. The Town Planning Board Section contains detailed site plan review procedures for all development proposals within the LWRP and contains permit review criteria that will be utilized to approve or deny development proposals for certain uses. These criteria require that the potential impacts of a proposed development on Lake Ontario and/or Irondequoit Bay water quality be considered and weighed against the feasibility of providing any mitigation measures to control such impacts. Permits will be denied for those development projects which significantly impact bay and/or lake water quality and which cannot or do not provide appropriate mitigation measures.

b. Additional Public And/or Private Actions That Implement this Policy:

1. The Monroe County Health Department can monitor discharge of effluent from sewage disposal systems of less than 1,000 gallons per day to ensure compliance with State and Federal water quality standards. The New York State Department of Environmental Conservation monitors discharge of effluent from sewage disposal systems of greater than 1,000 gallons per day to ensure compliance with State and Federal water quality standards.

2. The proposed Water Quality Management Plan for the Irondequoit Basin, which contains a two-phased strategy for improving the Basin's water quality, consists of water quality improvement techniques, an administrative leader and staff, financing methods, and intergovernmental cooperation.

POLICY 31

a. Legislation That Implements this Policy:

See 3. and 4. under A. on page V-20.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 32: NOT APPLICABLE.

POLICY 33

a. Legislation That Implements this Policy:

See 3. under A. on page V-20.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 34

a. Legislation That Implements this Policy:

1. Chapter 147 (Landfilling) prohibits dumping of any refuse, rubbish, dirt, waste material or other objectionable substances into the streams, lakes, bays or waterways within the Town. Chapter 225 (Town Zoning Ordinance), Section 225-71, prohibits dumping of waste, refuse or any other substance within the Town without approval from the Town Board. Chapter 175 (Sewers), Section 175-7, prohibits unsanitary disposal of wastes and discharge of untreated sewage.
2. The Water Surface Use Regulations Ordinance for Irondequoit Bay, which was developed by the Irondequoit Bay Coordinating Committee, addresses such issues as: the speed and operation of vessels within 300 feet of the shoreline and within 500 feet of any marinas or boat mooring areas; the reduction of anticipated conflicts between recreational uses in the near shore area; the reduction of wake effects on private property and environmentally-sensitive areas; and the prohibition of the release of waste, garbage or hazardous materials from boats operating on

Irondequoit Bay and/or Lake Ontario, in order to generally protect the public health, safety and welfare, and to preserve the natural beauty and water quality of the bay and lake areas.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 35

a. Legislation That Implements this Policy:

The New York State Department of Environmental Conservation issues dredging permits only when it has been determined that the anticipated adverse impacts of such activities have been reduced to acceptable levels that satisfy state dredging permit standards as set forth in regulations developed pursuant to the State Environmental Conservation Law.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 36: NOT APPLICABLE.

POLICY 37

a. Legislation That Implements this Policy:

See 2. on page V-15.

See 3. under A. on page V-20.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 38

a. Legislation That Implements this Policy:

See 2. on page V-15.

See 3. under A. on page V-20.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 39

a. Legislation That Implements this Policy:

None required or identified.

b. Additional Public And/or Private Actions That Implement this Policy:

There is currently no storage, treatment and/or disposal of hazardous wastes within the Town's LWRP boundary. No activity will occur within this area which would produce such hazardous wastes, as defined in Article 27 of the New York State Environmental Conservation Law. The LWRP area does contain a sanitary landfill for limited private use which should continue in operation for approximately five more years. The Town will continue to utilize best management practices in the operation of the landfill to protect ground and surface water, significant fish and wildlife habitats, and recreation sites in the immediate area. Chapter 147 (Landfilling) of the Code of the Town of Webster controls, to a greater extent, the operation of the landfill.

POLICY 40: NOT APPLICABLE

POLICY 41

a. Legislation That Implements this Policy:

None required or identified.

b. Additional Public And/or Private Actions That Implement this Policy:

Land uses permitted within the Town's LWRP boundary are restricted to residential, recreational and marina-related commercial. All of these land uses are unlikely to significantly impact air quality within the LWRP area or the Town. The Monroe County Health Department currently monitors air quality on a periodic basis to ensure that provisions of the Federal Clean Air Act are met within the county.

POLICY 42

a. Legislation That Implements this Policy:

State legislation, including the Air Pollution Control Act, Environmental Conservation Law (Article 19), the Waterfront Revitalization and Coastal Resources Act, and Executive Law (Article 42), implements this policy.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 43

a. Legislation That Implements this Policy:

See A. under Policy 42 above.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.

POLICY 44

a. Legislation That Implements this Policy:

None required or identified.

b. Additional Public And/or Private Actions That Implement this Policy:

None required or identified.