

**Village of Whitehall
Local Waterfront Revitalization Program**

**Washington County
New York**



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EXECUTIVE SUMMARY

Introduction

In 1998, the Village of Whitehall set out on the process of developing a Local Waterfront Revitalization Program (LWRP), a comprehensive plan for the appropriate development and preservation of the Village's waterfront areas. Following an award for a grant from the NYS Department of State, the Village Board established a LWRP Advisory Committee and appointed a group of volunteers to develop an LWRP for the Village. Together, the LWRP Advisory Committee has been working since that time to develop and articulate a vision for the appropriate development and revitalization of the Village's waterfront areas.

An LWRP is a comprehensive program that brings together local and State government, commerce and industry, environmental interests, private organizations, and community citizens to assess current problems and opportunities and to build a consensus on the desired future of the community's waterfront. By preparing a LWRP, Whitehall has the opportunity to evaluate its waterfront resources and to devise and implement a management plan for the best use of those resources. Once the LWRP is completed and approved by the Secretary of State, Whitehall will have the local controls to guide future waterfront development and the legal ability to ensure that all actions proposed for the waterfront are consistent with the LWRP.

The Committee's objective is to set forth a comprehensive plan that will achieve these ends and at the same time assure the protection and beneficial use of our waterfront area resources and preserve the essential character of Whitehall as a year-round active and growing community. The Committee's objective is also to ensure that the vision articulated in the LWRP is one that genuinely reflects the collective will of the community. To that end, the Committee has endeavored to keep the public involved and aware of the status and progress of its work. It has surveyed the views of the community with respect to the issues at stake and to incorporate those views in the recommendations that are being developed.

Goals for the waterfront revitalization area primarily focus on the following intentions:

- Increase and improve public access to water resources
- Stimulate economic development in downtown Whitehall
- Protect and enhance natural resources

Purpose

The purpose of a Local Waterfront Revitalization Program (LWRP) is to promote economic development and revitalization of the Village's waterfront area, while assuring the protection and beneficial use of waterfront resources. An approved LWRP can help attract public and private investment in waterfront projects since it demonstrates a community's commitment to economic development and resource protection and contains conceptual plans for projects that make the development process more predictable and efficient. These plans help to convince entities and private developers that the projects are realistic, have public support and that money will be well spent and fit into a comprehensive plan that will ultimately protect the investment.

Legal Authority

LWRP's are authorized by the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42) and the implementation of rules and regulations for the Act (Part 600 of Title 19, NYCRR) authorizing the preparation of Local Waterfront Revitalization Programs with financial and technical assistance from the NYS Department of State (DOS). The approach to managing waterfront areas taken by New York State is unique from the approach used in other States. While State government can promote development and provide for the protection of critical resources, it is recognized that municipalities are in the best position to determine their own waterfront objectives and to adapt Statewide approaches to specific local needs. Accordingly, the Department of State has encouraged waterfront communities to prepare their own Local Waterfront Revitalization Programs.

Definition

An LWRP is a comprehensive plan that refines legislatively established waterfront policies by incorporating local circumstances and objectives. It is a grass roots effort that brings together local, State, and Federal governments, environmental interests, commerce, private organizations and community citizens to assess the opportunities and constraints and to build a consensus on the desired future of the community's waterfront area. More important, the LWRP provides a strategy for achieving that vision.

The Waterfront Revitalization Area is defined as the area that would be directly impacted by initiatives established in the Local Waterfront Revitalization Program. The study area encompasses the land along and, in some instances, the surface area of, the Village's principal waterbodies and waterways. More specifically, land adjacent and in relatively close proximity (within an average distance of 0.25 mile) to the Champlain Canal is included as is land along one or both sides of Lake Champlain, depending on the Village boundary. The area also incorporates land along the eastern shore of South Bay.

Plan Layout

Section I of the LWRP identifies both the landward and waterside boundaries of the waterfront revitalization area.

Section II includes a comprehensive inventory and analysis of the Village. It begins with the natural resources, including water, land, vegetation, fish and wildlife, and scenic resources. Then it looks at community/cultural resources such as development, public access, recreation, historic and archaeological resources. Next, it discusses land and water uses and important economic activities within the waterfront revitalization area. An analysis follows which discusses the existing issues and future opportunities in the individual categories.

In Section III, the Village formulated specific program goals and objectives, which are described in thirteen waterfront revitalization policies. The Policies are comprehensive

and reflect existing laws and authority regarding development and environmental protection. Taken together, these policies are used to determine the appropriate balance between economic development and preservation that will permit the beneficial use of and prevent adverse effects on Whitehall's waterfront resources. The policies allow the community to identify their own waterfront issues and utilize local approaches to address them. Once adopted by the DOS, the policies guide any activity occurring within the LWRP boundary. Policies are organized under five headings: General Policies, Economic Development Policies, Waterfront Natural Resources Policies, Environmental Policies, Recreation and Cultural Policies.

Section IV identifies the proposed future land and water uses for the Village's waterfront revitalization area. This section details specific public and private projects that will enhance, encourage and contribute to the redevelopment of the entire Village. It also includes a Harbor Management Plan for the Village. A summary of Section IV follows on the next page.

Section V describes the local laws and regulations, other public and private actions, management structures and financial resources necessary to actually implement the uses and projects identified.

Section VI identifies State agency actions which must act consistently with the Village of Whitehall's LWRP during the implementation phase.

Approval Process

The process for approval of the LWRP involved submission of a draft to the NYS Department of State with a resolution from the Village Board declaring the document complete. The Department of State then distributed copies of the LWRP to approximately 70 State and Federal agencies for their review and comment during a 60-day review period. Coincident with this review period, the Village provides for local public review and comment on the draft. The Department of State then assisted the Village in the preparation of the final LWRP.

WHITEHALL LWRP PROJECT SUMMARY

The Village is proposing individual, related projects that will enhance, encourage and contribute to the redevelopment of the entire Village. Priority areas for revitalization are lands along Champlain Canal and lands along Lake Champlain's South Bay. These projects are illustrated in [Map 12, "Proposed Projects."](#)

As part of the LWRP, the Village of Whitehall is recommending several large projects and a series of small inter-related projects that are designed to expand the opportunities provided by the waterfront improvements funded and recently funded by the NYS Canal Corporation. The recommendations not only provide more public access to the waterfront, but also link local, regional and national trail systems and direct commerce to the downtown Village Business District to strengthen the local economy. The LWRP utilizes its rich historical resources to link and market them riding the current trend to build national heritage tourism. The LWRP includes a

number of initiatives that are based on creating a visitor base that can support a diversity of new businesses. The “Gateway” group suggested a number of initiatives that have been incorporated into the LWRP.

Extend Canalway Trail

Extend the existing trail to the south to correspond with the Town of Fort Ann’s plan to connect the Canalway Trail to Whitehall and the larger scheme to create one byway from Waterford to Canada. Potential obstacles to a continuous path are the many stream and wetland crossings that will be necessary along the canal route south. Permitting and bridge construction will tend to increase the cost of the project.

The Village of Whitehall also proposes to extend the Canalway Trail north beyond Lock 12 Road to a site to be known as the future nature and arts center. From this site, the trail continues over a pedestrian bridge onto Cooke’s Island. This route also has water obstacles that must be overcome. There are bridges that are no longer operational for vehicles but may be acceptable for pedestrian use. These should be investigated for use along the trail and to connect over to Cooke’s Island.

Ultimately, the destination for the trail north should be the old Route 9 spur along Route 22 where the wheelchair-accessible fishing site is planned on South Bay. One of the ways to avoid the wetlands would be to secure easements along the Niagara Mohawk right-of-way.

The Trail should be equipped with benches, lighting and other amenities that are part of the present pedestrian walkway at the site at South Bay.

Wood Creek Pedestrian Bridge and Trail

In order to provide the greatest amount of public pedestrian access to the waterfront, the Village is proposing that the trail on the east side of the Saunders Street Bridge running south along the Canal be extended to Route 4 and merge with the existing sidewalk as recommended in the Urban Cultural Park Redevelopment Plan. At the point at which the path intersects with the south end of the ball fields, it would cross over to the peninsula via a pedestrian bridge across Wood Creek. The trail would continue along the northern perimeter of the peninsula and the west side until it reaches the sidewalk along Route 4. It would then link up to the proposed path along the fuel tank property and form a fully linked walking trail from virtually any location along the Canal. Recommended improvements for the part of the trail where docking is offered includes adding picnic tables, grills and small covered pavilions. Some sections of the proposed path will require securing some kind of easements since much of this land is privately owned. Additionally, a trail marker should be placed at the entrance to the existing trail from the Village up Skene Mountain.

Cooke’s Island

The Village (with the Town of Whitehall) proposes to purchase or lease Cooke’s Island from the US Army Corps of Engineers and develop it into a public day-use primitive recreation area. Presently, negotiations are continuing with ACOE on ownership and compatible land uses for the island. Cooke’s Island was recently used by the ACOE to

dispose of dredging spoils from the Champlain Canal. Cooke's Island presently has no public access and is essentially vacant with a few scattered abandoned ice shanties. Only pedestrians and bicycles (emergency vehicle access would be incorporated into the plan) would have future access to the island. Such a bridge is envisioned to connect Lower Main Street to Cooke's Island. The Canalway Trail would continue on Cooke's Island where it would make a complete loop linking picnic and canal viewing sites. Cooke's Island is a prime area for viewing wildlife because of the excellent wetland habitat on the west side of the island and across the canal as well. A bird watching trail should be developed with the cooperation and guidance of the Nature Conservancy or Lake Champlain Basin Conservancy. Picnic sites should be developed along with docking areas north of Cooke's Island along east side of the Canal at the base of Austin Hill.

A formal canoe/kayak access point would be established on the island at the most reasonable point along the east side of the island. The entire area has very strong potential for the development of small-craft boating. An association who promotes this activity should establish a formal canoe/kayak route with recommended stopovers. The southwest side of Cooke's Island is presently too shallow for the passage of non-motorized boats. This must be corrected so that kayakers can completely circle the island and enjoy the total experience of viewing wildlife from the water. Dredging of this area is recommended, however, there are archaeological and cost issues to resolve before this project can go forward.

Wheelchair-Accessible Fishing Access Site

The Village seeks to provide greater access to the waterfront to persons with disabilities. As such, the Village proposes to develop the Old Route 22 road into a recreational facility with opportunities for people with disabilities, including picnicking, fishing and nature viewing. This site is located on South Bay, Lake Champlain, a coveted fishing resource. The site would be equipped with restrooms for use by people with disabilities. Toilets, sinks, mirrors, water fountains, towel and soap dispensers, and grab bars should be installed at wheelchair level. All access points should be marked by appropriate signage. An additional feature to the site is a designated non-motorized public access point.

Marina Pump-Out Facility

The Village identifies the need to provide public access to a marina pump-out facility in the Village of Whitehall. The closest pump-out facility is roughly 35 miles in either direction. Providing these services would benefit the community because they could be marketed to boaters on the Canal and attract their attention directly to Whitehall. The pump-out facility would be located at the municipal wastewater treatment facility south of Lock 12 on the west side of the canal off North Main Street. Services will accommodate virtually any size boat and will be offered for a fee to offset the costs of constructing the hookups and dock.

Economic Development Plan

The Village of Whitehall completed a Community Development and Tourism Strategy with financing from the Lake Champlain Byways Program. The "Gateway Partnership"

intends to utilize public and private partnerships to develop unique approaches to economic development and planning, tourism development, community beautification, community pride, arts and cultural development, youth and recreation issues, and industrial development. The Village recognizes the good works of this group and proposes to develop a comprehensive Economic Development Strategy that takes Gateway Partnership's work to the next level. The following ideas were developed from the LWRP and should be incorporated into this Economic Development Plan:

1. Market a sports-oriented retail and outfitter. Develop a market for canoe and kayak rentals complete with lessons and tours of the Champlain Canal, South Bay and Lake Champlain. Link this potential business with kayak clubs out of Vermont and market for inclusion of South Bay and the Canal into regional touring plan books and maps and on the Internet.
2. Promote the Canal area as a "Water Gateway" by placing banners or flagging along the waterfront. Create a plan for the water gateway and the three land gateways into the Village of Whitehall. Place interpretive signage along the Canal in view of passing boats.
3. Create an incentive plan to attract businesses to fill the abandoned and underutilized buildings in the community. Market the area as an artist colony to bolster reuse of the existing downtown structures.
4. Develop a map that highlights the museum, historical markers and area landmarks. Get other regional maps to highlight this information so that it links up with other exhibits. Establish new harbor partnerships with the waterfront redevelopment activities at Waterford and at Schuylerville. Work with area museums to exchange cultural exhibits and shared activities. Establish a tourist connection with Fort Ticonderoga on Lake Champlain by providing access by boat.
5. Encourage the Americade motorcycle rally to include Whitehall in their recommended tours.
6. Locate one or more boats from the 1700's era to dock for the summer and provide tours. Develop a working 1776 shipyard as a destination activity for tourists. Look for other opportunities to host special boats.
7. Support ideas that promote the Adirondack and Rutland train network.
8. Expand upon the present Winterfest activities to develop a long-term winter recreational use plan for the canal.
9. Promote local business interest in a dinner theater/tour boat
10. Identify and provide the necessary support services that are needed for the Blue Heron and other boat operators on the Canal. Encourage the business community to respond

11. Provide a designated location and promote historical re-enactment's as public events.
12. Establish an overall Canal Waterfront Cultural District identity using an integrated program of signage, landscaping and streetscape design.

Water Resources Management Plan

The Village should provide for the permanent protection of the wetlands around Cooke's Island, improve stormwater runoff and control stream and canal bank erosion, provide for the protection from floods, and protect the community's water supply by developing a Water Resources Management Plan. Such plan should, at a minimum, include the following recommendations:

1. Facilitate the sale of the wetlands to the Nature Conservancy.
2. Provide for stormwater infrastructure improvements that separate stormwater runoff from sanitary wastewater throughout the Village.
3. Correct the stormwater runoff and bank erosion problem along the south side of Route 4 at Wood Creek.
4. Develop a watershed management plan for the community's water supply (Pine Lake).
5. Develop a flood management plan for the waterfront area. This should include a policy that directs the release or impounding of water at Lock 12.

Recreational Development Plan

The Village will respond to recreational issues that have come forth as a result of the LWRP planning process by developing a Long-range Recreational Development Plan. The following recommendations represent future ideas to incorporate in this plan:

1. Advocate a more regular presence of safety patrol on the Champlain Canal. Post appropriate signage at boater level so that boaters are aware of the navigation rules in the Canal.
2. Work with NYS Department of Environmental Conservation to develop a monitoring and management plan for the control of non-native aquatic vegetation and the general fishery of South Bay
3. Work with NYS Department of Environmental Conservation to develop a network of marked hiking and snowmobile trails on the West Mountain.
4. Promote accessibility and service at existing marinas that will accommodate the larger boats in the Canal system.

5. Enlarge the planned community indoor recreational center to accommodate a greater variety of activities.

Proposed Private Projects

Oil Tanks

This is privately-owned, 1.4 acre site, located at a principal entrance to Skenesborough Park and the central Business District, is no longer being used for its original purpose and is for sale. Because of its past use as a petroleum storage facility, there are likely significant costs related to the clean-up of the property. The Village, in consultation with the NYS Department of Environmental Conservation, will explore potential environmental assessment and remediation opportunities that may be available. Long-term plans for the site include use as a lodging facility or use as a public park. This land is an essential link in terms of extending the Canalway Trail.

Railroad Property

The Village will work with Washington County Local Economic Development Corporation and the Whitehall Chamber of Commerce to market the vacant property belonging to the railroad. It has the best potential as an industrial site since it is located adjacent to the rail line along Route 22. It could also be well utilized as a commercial site such as a mini-mall.

Nature And Arts Center

Determining the actual present or planned land use. These places are also depicted as recreational resources on Maps [5a](#) and [5b](#). The Arts and Recreation Commission of Whitehall are proposing Cooke's Island as a Recreation/Arts Center Project. In 1999, the Commission applied for a grant through the Lake Champlain Basin Program for \$4,295 to legally accept this donated property, assess and clean up the property, and begin to develop the property as a nature and historic education center.

Public Launch for Non-Motorized Boats

A dedicated launch site for small boats, such as canoes and kayaks, should be available at Whitehall Marina just north and west of Lock 12. This area is being improved under other funding sources. A small boat storage rack should also be provided at this site to allow for boaters to secure their property while temporarily pulled up to the site.

SECTION I WATERFRONT REVITALIZATION AREA BOUNDARY

The general location of the Local Waterfront Revitalization Program for the Village of Whitehall in Washington County, New York is shown as [Map 1, "Regional Location."](#) The specific boundary of the Village's Waterfront Revitalization Area is described below and shown on Maps [2a](#) and [2b](#), "Waterfront Revitalization Area Boundary."

Generic Description

The Waterfront Revitalization Area is defined as the area that would be directly impacted by initiatives established in the Local Waterfront Revitalization Program. The area encompasses the land along and, in some instances, the surface area of, the Village's principal water bodies and waterways. More specifically, land adjacent and in relatively close proximity (within an average distance of 0.25 mile) to the Champlain Canal is included as is land along one or both sides of Lake Champlain, depending on the Village boundary. The area also incorporates land along the eastern shore of South Bay.

Detailed Description

The boundary begins at the Village's southernmost boundary on the eastern shore of Wood Creek; thence west following the Village boundary to the western property line of 60.13-1-10; thence north along said western property line to 7th; thence north along Blinn Street to 1st; thence north along the western property lines of 60.9-1-53 and 60.9-1-39; thence north across Adams Street to the western property line of 60.9-1-14; thence west to the western property line of 60.9-1-2; thence north along the western property line of 60.9-1-2 to Kirtland Street; thence north along Smith Street to Queen Street; thence east on Queen Street to Lafayette Street; thence north on Lafayette Street to School Street; thence west on School Street to the western property line of 51.17-7-36; thence north along the western property line of 51.17-7-36; thence east along the northern property lines of 51.17-7-36, 51.17-7-35 and 51.17-7-34; thence north along the western property line of 51.17-7-31; thence east along the northern property line of 51.17-7-31; thence north along the western property line of 51.17-7-30; thence across Hurricane Avenue to the western property line of 51.17-7-22.1; thence east along the northern property line of 51.17-7-22.1; thence north along the rear (and side) lot lines of properties fronting West Street including parcels 51.17-7-14 and 51.17-1-30; thence west along Brookdale Avenue to 51.17-7-1; thence south, west, and north along the eastern, southern and western property lines of 51.17-7-1; thence across Brookdale Avenue to the southern property line of 51.17-1-30; thence west and north along the southern and western property lines of 51.17-1-30; thence north along the western property line of 51.17-1-28 to Saunders Street; thence west and north along Saunders Street and North Saunders Street to Neddo Street; thence north along Neddo Street to North Street; thence east on North Street, across NY Route 22, to the southern property line of 50-3-24; thence northwest along the western property lines of 50-3-24 and 50-3-19; thence northeast along the northern property line of 50-3-19; thence north along the western property lines of 50-3-21 and 50-3-22; thence east along the northern boundary of 50-3-22 to North Street; thence along the western side of North Street and around the parcel lines of 50-3-1 and 50-3-

2 to North Street; thence southeast along the eastern side of North Street to the northern property line of 50-3-6; thence east to the western property line of 50-3-4; thence north and east along the western and northern property lines of 50-3-4; thence north along the western property line of 50-3-3; thence east along the northern property line of 50-3-3 to Northeast Street. At this point, the Water Revitalization Area boundary follows the railroad tracks in a northwesterly direction to the intersection with the one hundred (100) foot contour; thence northwest along the one hundred (100) foot contour to the point one thousand five hundred (1,500) feet from the waterline of South Bay as shown on the New York State Department of Transportation Whitehall Quadrangle (7.5 minute); thence southward maintaining a one thousand five hundred (1,500) foot setback from the waterline to the intersection with the three hundred (300) foot contour; thence south southwest along the three hundred (300) foot contour to the southwest Village boundary; thence west and north along the Village boundary which extends northward approximately half way out into South Bay to a point just north of the Railroad Bridge; thence north northeast thence east southeast along the Village boundary (Lake Champlain and East Bay) to the Village's eastern boundary; thence south along the Village's eastern boundary to the intersection of the Village boundary and Doig Street; thence south along Doig Street to the northern property line of 51-2-8; thence east and south along the northern and eastern property lines of 51-2-8; thence east along the rear property lines of 51-2-46 and 51-1-11 to the Village boundary; thence south along the Village boundary to the south side of North Williams Street; thence west along North Williams Street to the eastern property line of 51-2-11; thence south along the eastern property lines of 51-2-11 and 51-2-11.1; thence west along the rear (and side) property lines of parcels fronting North Williams Street to the eastern property line of 51-2-22; thence south and west along the eastern and southern property lines of 51-2-22; thence south along Benjamin Street to its terminus; thence west along the southern property line of 51-2-27 to the eastern property line of 51-2-29; thence south along the eastern property lines of 51-1-2, 51-1-21; 51-1-20; thence south along the rear (and occasional side) property lines of parcels fronting Mountain Street to the northern property line of 60.6-6-15; thence south along the eastern property line of 60.6-6-15 to Route 4; thence west along Route 4 to South Williams Street; thence south along South Williams Street to the Village boundary; thence west; thence along the Village boundary to the beginning.

SECTION II INVENTORY AND ANALYSIS

The Local Waterfront Revitalization Program (LWRP) is being developed to assist the Village of Whitehall in the development of waterfront initiatives that are consistent with protection of their critical natural resources and historic character of the community. A LWRP is a comprehensive program that brings together local and State government, commerce and industry, environmental interests, private organizations, and community citizens to assess current problems and opportunities and to build a consensus on the desired future of the community's waterfront.

By preparing a LWRP, Whitehall has the opportunity to evaluate its waterfront resources and to devise and implement a management plan for the best use of those resources. Once the LWRP is completed and approved by the Secretary of State, Whitehall will have the local controls to guide future waterfront development and the legal ability to ensure that all actions proposed for the waterfront are consistent with the LWRP.

The LWRP, taken together with the numerous other initiatives taking place, such as improvements associated with the NYS Canal Recreationway Plan provides Whitehall with an excellent chance of re-energizing its residents and bolstering the local economy by creating many new businesses.

A. History of Whitehall

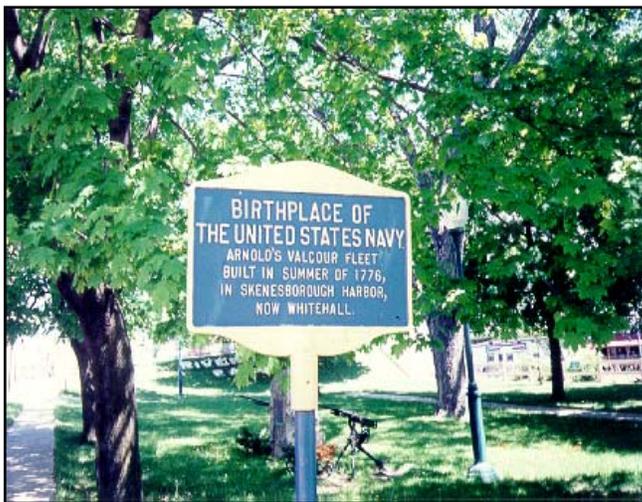


The following discussion represents background information about how Whitehall was settled and why there is a present need for new economic revitalization.

Unlike many places that have lost most, if not all visible connection to their pasts, Whitehall's history is unmistakable. It is seen in the architecture, in the transportation routes, along the water's edge, and on its craggy slopes. Its history is at the heart of recent efforts to revitalize the depressed economy.

Long before Europeans arrived, Iroquois and Algonquins passed through the area on peace and war missions. The first white settler was Philip Skene, a British captain. He settled at the head of Lake Champlain in 1759 following the French and Indian War. Skenesborough, as it was called until 1786, was the first permanent settlement on Lake Champlain. Skene developed trade routes to the West Indies via Lake Champlain and Quebec, and to Vermont and Albany via the Poultney River and newly developed roads. The falls at Wood Creek and the lakeside location attracted the development of saw mills, grist mills, and an iron foundry.

Birthplace of the U.S. Navy



In May, 1775, American troops captured Skenesborough in what was the first aggressive Revolutionary War action in New York State. The troops also captured Skene's trading schooner, Katharine, making it the first ship in the United States Navy. Colonel Benedict Arnold manned and armed this boat and used it to capture the British ship, Enterprise, later that month. In 1776, Congress ordered General Philip Schuyler to construct a fleet of ships to counter an

anticipated British invasion. A fleet of thirteen ships was constructed in Skenesborough Harbor to assist the Americans in the Battle of Valcour.

By the 1790s, Whitehall (as Skenesborough was renamed) was a prosperous center for commerce. Warehouses were used to store a wide variety of items. In 1806, Whitehall Harbor became a port.

The War of 1812 generated a renewed demand for ships. Ships that had been constructed following the Embargo Act of 1809 were put into service. Additional ships were constructed in Whitehall Harbor and pressed into service by Commodore Thomas Macdonough. In 1814, ships that were used in the Battle of Plattsburgh were moored in Whitehall and, when they became a threat to avigation, were scuttled in East Bay.

Lake Boat Era

The years 1806 to 1874 constitute what is known as Whitehall's lake boat era. Large lake boats were used to transport both tourists and goods on Lake Champlain. Tourists passed through Whitehall on their way to and from the Adirondack Mountains. Goods were primarily moved from the north to the south. The growing commerce trade renewed interest in the development of a canal that would connect Lake Champlain and the Hudson River. This waterway was constructed and was opened as far as Fort Edward in 1819 and as far as Waterford in 1824. The Canal was improved and lengthened in 1832 and

relocated in 1912. The earlier canal is on the National Register of Archaeological Sites. The Champlain Canal represents the entrance to Lake Champlain and the northern entrance to the New York State Barge Canal System. The current lock, Lock 12, was completed in 1912 and replaced a triple lock system that had been in place since 1823.

Goods shipped on the Canal included lumber, hay, potatoes, ice, yellow ochre, marble, iron ore, and eels. In order to support trade along the Canal, various services became available alongside the new waterway. Horse and mule barns, livery stables, hotels, taverns, a sail loft, and grocery and clothing stores are examples of the many businesses that supported the shipping industry. For the most part, these buildings are made of brick from local brickyards and are three stories. Most of the buildings were built between 1862 and 1892 and were designed and/or built by A.P. Hopson. In 1974 these buildings, along Main Street and Williams Street, were designated a Historic District. They constitute the heart of Whitehall's present-day central business district.

Support structures for the Canal included, among others, a terminal building built in 1917. Today this building is home to the Skenesborough Museum. An addition to the building, built in 1976, houses the Urban Cultural Park Visitor Center.

Railroad Era

In 1848, the Saratoga and Rensselaer Railroad arrived in Whitehall and initiated the railroad era. The Lake Station, built in 1850 just north of the Village, transferred travelers to Lake Champlain steamships. When the steamships stopped running, the rail line was extended to the Adirondack Mountains. A second rail line, the Rutland and Washington, traveled east to Vermont. At the height of this era, 76 trains left the Whitehall rail yard each day. A D&H station was built in 1892. Though not demolished, a new station was built on Main Street in the mid 1990s. The railroad era came to an end with the advent of the automobile.

Era of Decline

Relocation of the Canal bed resulted in Riverside Park and Skenesborough Park. Skenesborough Park provides visual and physical access to the Canal and Wood Creek. The New York State Canal Corporation has a 99-year lease with the Town of Whitehall for this area.

The Village fell into a period of decline in the mid to late 1900s. As the importance of the rail and silk industries became less important, some people left Whitehall in search of more promising economic times. The increased availability of the automobile and the extent and quality of the road system enabled people to travel elsewhere to shop and seek entertainment. The development of highways and the associated drive-non-stop mentality likely reduced the number of people passing through the central business district. The Northway and State Routes 4 and 22 bypass the heart of the Village and minimize revenues generated from thru-traffic. Rail passengers also pass by without stopping.

Era of Rejuvenation (Current Planning and Development Initiatives)

A core of Whitehall residents, fully aware of the Village's assets and potential, were not complacent. They researched ways and means to revitalize the Village economy and spirit. The successes are mounting. Listed below are the Village's community planning and development initiatives.

Urban Cultural Park

In 1980 Whitehall was designated an Urban Cultural Park. An Urban Cultural Park is a State-designated area that has special significance in the State's history. An Urban Cultural Park Management Plan was prepared to guide the revitalization of the area while promoting preservation, education, recreation, and economic development.

The thirteen goals in Whitehall's Urban Cultural Park Management Plan pertain to the:

- Preservation of the Village's nineteenth century character;
- Preservation of the Champlain Barge Canal System and bridges;
- Enrichment and upgrading of the park environment;
- Education of park visitors;
 - Birthplace of United States Navy
 - Role in early history of the country
 - Development of water and rail transportation systems
- Development of promotional, public relations, and educational programs;
- Provision of passive recreational pursuits;
- Expansion of active recreational facilities;
- Strengthening of the economic base;
- Encouragement of private sector investment;
- Reduction of business operation costs;
- Expansion of the State and local tax base; and
- Encouragement of rehabilitation of vacant/substandard residential space

Many of the Plan's recommendations have been implemented.

The boundaries of the Historic District coincide with those of the Urban Cultural Park. The themes of defense and transportation are exhibited in this area's development patterns and architecture. Development and redevelopment projects in this area, depending on their nature, may be subject to the Village's Historic Preservation Law.

Canal Harbor Center

In recent years, the New York State Canal Corporation, the entity that owns and operates the Canal, has initiated and begun implementing measures to revitalize economies along the Erie and Champlain Canals. Whitehall is one of seven designated Canal harbors due, in part, to the fact that Whitehall is the gateway to Lake Champlain and Canada. According to the New York State Canal

Recreationway Plan, these harbors, when redeveloped, will “best exemplify the recreational and economic potential of the Canal System” (page 8.1). As a designated harbor, Whitehall has been the subject of a concept plan for the Skenesborough Park vicinity based on months of meetings and public participation efforts. The concept plan and associated development program incorporate four basic elements:

- Canal infrastructure, facilities, site and other improvements which provide or enhance boater services and other recreational activities;
- Canalway Trail improvements and linkages;
- Economic development and community revitalization elements, and private-sector participation; and
- Public open space, visitor information and interpretive components.

Skenesborough Museum and Park

Public, private and not-for-profit groups have become involved in a wide array of smaller scale efforts, each intended to benefit residents and/or visitors. An early example is the Skenesborough Park Museum, located in a 1917 Canal terminal building. The building was vacant when, in 1959, the museum was opened in celebration of the Village’s bicentennial and the tricentennial of Henry Hudson’s trip down the Champlain. In 1991, the Village received money through the Environmental Quality Bond Act to renovate a wing of the Canal terminal as an Urban Cultural Park Visitor Center. In addition, the exterior was painted and a tile roof established.

In 1982, the Village received a Federal Land and Water Conservation grant for improvements to Skenesborough Museum Park. These improvements included a picnic shelter, barbecue pit, and picnic tables. The local Navy Sea-Bee unit and volunteers coordinated efforts to erect a replica of an 1892 bandstand in Riverside Park. In 1989, Department of Housing and Urban Development and Urban Cultural Park monies were used to replace a section of canal wall that had fallen. This project included a stairway to link the Canal and Main Street.

The Village also received a New York State Canal Grant of \$45,000 in 1991. This grant was to establish a walkway connecting the Museum parking lot to a stairway linking the Canal and Main Street. Monies were used to rehabilitate the site of the Newberry store and enhance the streetscape along Main Street.

Recent design plans for Skenesborough Park offer increased and enhanced opportunities for visual and physical access. Project components include, but are not limited to, a boat launch, a promenade along the Canal wall and through the Park, a bicycle trail, picnic shelter, recreation center, stage area, benches, plantings, and landscaping.

Champlain Canal Byway

The proposed Champlain Canal Byway (formerly known as the Canalway Trail) will pass directly through the Village. The Byway is a 64-mile expanse from Waterford to Whitehall that proposes to link current and proposed scenic byways along key transportation routes in New York State. The Byway seeks to provide information about the area's important local history and landmarks and highlight the recreational opportunities along this route.



HUD Canal Corridor Initiative

The United States Department of Housing and Urban Development is overseeing a Canal Corridor Initiative. Whitehall prepared a grant application and received funds to replace part of the Canal wall, to beautify the local streetscapes, to expand the pedestrian circulation network, and, to provide additional parking. Implementation of the project is underway. As part of the Canal Corridor Initiative, the Village is authorized to issue Section 108 loans for economic development projects that will result in new jobs. HUD subsidizes the interest rate. The Village has the authority to issue \$1.4 million in loans.

HUD also oversees a Microenterprise Loan Program for economic development projects that do not exceed \$25,000. The Village has approximately \$150,000 in funds.

In addition, in the 1980s and 1990s, the Village received two HUD Small Cities grants. One grant led to the rehabilitation and sale of a historic structure on Main Street. The other grant entailed housing rehabilitation and water line and storm drainage improvements along Broadway and west of Broadway.

Skene Manor

One of the area's predominant buildings and sites, Skene Manor, operates as a tourist attraction. Built in 1874 on the side of Skene Mountain, it was the home of State Supreme Court Justice Potter. Today it is owned by a not-for-profit organization. Revenues are used to restore the building to its original condition. It is on the National Register of Historic Places.

Bridge Theater

One of the more recent efforts entails the development of the Bridge Theater on the bridge near Lock 12. The Arts and Recreation Committee of Whitehall, NY, Inc. is overseeing this project. The Bridge Theater re-opened in 2000.

Table 1 Summary of Applications for Funding

NYS Bond Act- Renovate Museum/Visitor Center	\$450,000
Canal Corridor Initiative- Canal Improvements	\$850,000
TEA-21- Bike Trail & Other Canal Improvements	\$392,500
EPF-NYS Heritage Program- Canal Improvements	\$250,000

B. Water Resources

Champlain Canal

The Village of Whitehall is bounded by water on three sides and, therefore, is very rich in water resources. The Champlain Canal is the major water resource. The Champlain Canal is an integral part of one of the longest and most scenic multi-use trail systems in the nation. The Canal, which once played a primary role in the local economy, divides the community literally down the



middle. This section of the Champlain Canal is considered to be the gateway into Lake Champlain. Today, Whitehall has a very high economic potential associated with the Canal because it is literally the last stopping-off place for boaters who would have at least 20 miles to travel to find gas, food and lodging after passing north beyond Lock 12. The area around Lock 12 to Cooke’s Island is known as Whitehall Harbor. “The Narrows” area follows to the north and, just north of Cooke’s Island, the Champlain Canal becomes what is known as the “Head of Lake Champlain,” or East Bay. In this region, the lake becomes a narrow band of waterway until it reaches Putnam Station on the west side just south of Ticonderoga.

South Bay

The Waterfront Revitalization Area follows the Village boundary to the railroad bridge where it abruptly turns south into South Bay. South Bay is a natural extension of Lake Champlain. It is a body of water roughly 4.5 miles in length and about one-half a mile wide at its widest point. Its primary use has historically been for fishing although, in recent years, South Bay has experienced a significant decline in this recreational pastime.

C. Water Dependent Uses

Both water-dependent and water-enhanced uses exist along the Canal and shores of Lake Champlain. [Map 3, "Recreational Water Uses,"](#) identifies these uses. Water dependent uses are those that depend upon the water for their existence. Water enhanced uses are those that do not depend upon water, but are enhanced by their proximity to the water.

Champlain Canal



The Canal and Lock 12 are the most significant water-dependent uses in the Water Revitalization Area. Completed in 1912, the current lock replaced a triple lock system that had been in place since 1823. Lock 12 represents the entrance to Lake Champlain and the northern entrance to the New York State Canal System. Pleasure and commercial vessel traffic

through the lock has been increasing in recent years. Table 6, "Pleasure and Commercial Vessel Traffic, Lock 12, 1996-1999," found in Section 3, depicts figures for this period.

Water depths in the Canal range from 9 to 10 feet. Other physical structures in the Canal include lock and bridge abutments, the canal wall, and several private docks including Lock 12 Marina, The Liberty Eatery, and the Whitehall Marina. Water depths in the Whitehall Harbor range from 11 to 15 feet. The Canal is generally not a good resource for recreational swimming. It tends to be muddy with a fair amount of suspended clay solids. In addition, the water quality is suspect in many locations due to runoff from urbanized areas and streams. There appear to be no water-based conflicts. The Canal is actively utilized for ice fishing in the winter. The area adjacent to "The Elbow" on the east side of the Village often becomes a virtual "shantytown" of fishing shacks in the wintertime.

The Albany Field Office of the Army Corps of Engineers in Troy is responsible for monitoring navigation and flood control of the Hudson River and Narrows of Lake Champlain. They have prepared the dredging plan for the project located just east of Cooke's Island completed during 2000. The project is needed to ensure safe navigation of the waterways connecting Lake Champlain and is considered to be essential to the long-term economic vitality of the Whitehall Canal corridor. In recent years, several large boats have become lodged on sandbars and there are very few nearby resources to handle towing and repair related to this problem.

There are public boat tie-ups available along both sides of the Canal north and south of Saunders Street. From these points, boaters can access public open space areas, nearby sidewalks, and several restaurants. For example, stairs linking the Canal to Main Street and Williams Street are on the west side of the Canal north of Saunders Street and on the east side of the Canal south of Saunders Street, respectively. Similarly, land-bound people can access the open areas along the Canal for land-based recreational purposes.

Marinas



Additional water-dependent uses in Whitehall Harbor include the Lock 12 Marina and the Whitehall Marina. The Lock 12 Marina is on the Harbor's eastern shore. Road access is via North Williams Street. It has dock space for approximately 40 boats. Available services include

gasoline, mechanical services (via Frere & Company of Whitehall), ship store, restrooms, showers, laundromat, and wine shop. Additionally there is a pool, children's play area, picnic tables, and barbecue area. Patrons can rent canoes and small boats and launch them from the property. The rate of use of this equipment is approximately 80 percent in July and August. In May through June and September through October, the rate of use drops to approximately 20 percent.

Across the Harbor from the Lock 12 Marina is the Whitehall Marina. Road access is via Main Street. It has dock space for 35 to 40 boats and dry storage space for 40 to 50 boats. In addition to a dry storage facility, the marina provides a shrink-wrap service to protect boats from winter's elements. Whitehall Marina offers gasoline, full mechanical service, restrooms and showers. During the height of the season, the owner estimates an 85 percent to 90 percent rate of use

for his equipment. Four dock spaces are reserved for transient use. This business has recently closed and is presently offered for sale.

Frere & Company is a marine hardware and accessories business opposite Whitehall Marina. It serves boaters and provides mechanical services to the Lock 12 Marina.

Public Boat Launch



Until recently, a car-top boat launch has been available for the public at Skenesborough Park. Parking, though undesignated, is available along the Park's internal roadway. Plans for Skenesborough Park call for the upgrading of this boat launch and its relocation to an area closer to Poultner Street. The Canal Corporation is presently overseeing the construction phase of this project. The launch will be free and open to the public and will allow boats up to a width of 15 feet to safely launch. This feature is a great asset, having the potential to bring new business into the community. The closest launch site with similar amenities is at Ticonderoga to the north.

Cruise and Charter Boat Companies

A commercial operation, Carillon Cruises, offers interpretive boat tours of the Canal, Lock 12, the Elbow and South Bay. Cruises are available in July and August and depart from the Skenesborough Museum. Private charters and sunset cruises are also available. One in particular, Blue Heron, LLC, has begun an enterprise offering "Hireboating" or self-drive boating in Whitehall operating from the Lock 12 Marina. Blue Heron has started a fleet of 2 -34 foot cruisers fully customized with luxury amenities. The service offers customers six days and nights aboard a self-contained, modern cruiser to go wherever they please. Alternative cruise routes are to the Canadian border, connecting with the Chambly Canal and the St. Ours Canal on the Richelieu River, onward to the St.

Lawrence and Montreal, or out to sea. Southward, cruising opportunities lead to the Erie Canal or down the Hudson River to New York City and beyond.

Champlain Canal Byway

Formerly known as the Canalway Trail, the Champlain Canal Byway corridor is proposed to link current and proposed scenic byways along key transportation routes in New York State. The Champlain Canal Byway runs 64 miles between Waterford in Saratoga County to Whitehall in Washington County. An Enhancement Plan has been developed by the Byway Steering Committee to bring together recreational and cultural regional opportunities that will ultimately result in significant positive economic benefits for communities along the Canal corridor.

South Bay

State Boat Launch

Land-based, water-dependent uses are non-existent in South Bay except for the South Bay State Boat Launch located on the northwest side of the Route 22 Bridge. The launch gets a tremendous amount of use in both the summer and winter months. Each March, over 500 people use the launch for a fishing derby and, in June, a major bass tournament brings several thousand people to the launch each day. These activities give an annual economic boost to the Village Whitehall during times of the year when there is little other activity. In turn, merchants support the tournaments by donating gifts and services as prizes. Waterfowl hunters also utilize South Bay in the fall. Recreational boaters do not use South Bay as a destination because it is normally very turbid and has an average depth of less than 15 feet. South Bay is also choked with beds of water chestnuts in many locations making boat navigation virtually impossible. Despite high usage at certain times during the year, South Bay is considered by DEC to be significantly underutilized.

The State Boat Launch realized \$335,000 in improvements in 1999 due to funding available through the Environmental Bond Act. Residents and regular users of the launch are lobbying for additional amenities such as picnic tables and grills.

Pier

The pier located just north of the Route 22 Bridge adjacent to the launch burned some years ago and is proposed as a special site to be developed for wheelchair-accessible fishing access. Funding was allocated with the launch improvements, but cost over-runs at the launch have caused this project to be delayed indefinitely. The Town and Village of Whitehall in a joint application for funding are also exploring fishing access for the wheelchair-accessible from the east pier.

Access to South Bay

Boaters have access to South Bay via the State Boat Launch or the Lake Champlain extension of the Champlain Canal. When Lake Champlain is at a lake level of 93 feet, the Railroad Bridge that crosses South Bay at this entrance has a height clearance of 11 vertical feet. Reasonable clearance in the summertime is approximately 10 feet. The clearance at the Route 22 Bridge is slightly less at 9 vertical feet. Many of the larger new boats cannot make the clearance at the Railroad Bridge and mistakenly launch at the Route 22 Bridge and then cannot make it out into the Champlain Canal. The next closest public launch site is 25 miles north at Ticonderoga. The new launch presently under construction along Skenesborough Park will eliminate this need to launch so far north and draw many more boaters into the downtown Whitehall area.

Constraints

South Bay is losing much of its appeal to fishermen and waterfowl hunters due to the fact that the walleye fish population is dramatically reduced in recent years and water chestnut beds are making many areas impassable by boat and dangerous to hunting dogs. There is also a great deal of concern regarding the potential for the spread of exotic species from South Bay to “uninfected” regions. The water chestnut, Eurasian water milfoil, and zebra mussels are believed to be migrating from one region to another by hitchhiking to boats.

Several activities are scheduled to combat the growing water chestnut populations and the deep layers of silt which have caused South Bay to become shallower. NYS DEC committed for the purchase and operation of a weed harvester that will operate on Lake Champlain. The area between the Railroad Bridge and the Route 22 Bridge is considered the top priority in terms of harvesting.

D. Public Access and Recreation

West Side of the Canal

Much of the land along the west side of the Canal is under public ownership and accessible by the public.

Skenesborough Park

Skenesborough Park overlays the old Canal and provides physical and visual access to the present Canal and Wood Creek. This park has informal open space area, picnic tables, pavilion, restrooms, and cartop boat launch. The New York State Canal Corporation has a 99-year lease with the Town of Whitehall for this area. This Park is also home to



the U.S.S. Ticonderoga. This vessel played a role in the War of 1812, was scuttled in East Bay in 1815, and raised in 1958. A Whitehall skiff is also on display here.



Harbor Center Plans

The New York State Canal Corporation is overseeing a project that, for the most part, is limited to Skenesborough Park. The project has fully been constructed and includes the following improvements:

- relocated boat launch (the new launch is now just north of the Poultney Street bridge)
- Floating docks parallel to the Canal wall
- Decorative promenade along the Canal wall and through the Park
- Bicycle trail adjacent to the promenade
- Recreation center
- Picnic shelter
- Stage area
- Gazebo
- Benches and bicycle racks
- Plantings and landscaping

The Skenesborough Museum

The Skenesborough Museum is housed in a 1917 Canal terminal building adjacent to Skenesborough Park. Its collection of Canal and railroad artifacts and Revolutionary War memorabilia depict the more prominent times of Whitehall's past. A new wing of the building, built in 1976, houses the Urban



Cultural Park Visitor Center. Its exhibits also to inform visitors about Whitehall's historic past.

Riverside Park

Riverside Park is on Skenesborough Drive north of the Whitehall Volunteer Fire Company. It is village-owned and dates back to 1914. Like Skenesborough Park, it overlays the old canal. Its Veterans' Memorial flanks the canal side of the Park. A granite wall contains the names of Whitehall residents who served in several of this nation's wars. A bandstand, benches, fountain (once a horse watering trough), flagpole, and flowered walkways adorn the area. There are several examples of war weaponry on permanent display. Free summer concerts take place at the bandstand. There is a significant open space area along the Canal enabling people to sit, walk, picnic, and otherwise enjoy the area.

Other Access Points

North of Saunders Street there is access to additional open space along the Canal. A stairway links the Canal to Main Street.

Opportunities

This area of Whitehall is fortunate for its present and soon to be enhanced public uses. There will be the potential for significant increased economic activity resulting from the new boat launch. There is better linkage to the Canal itself, which contributes to its visual appeal and allows people to see future possibilities. There will be an ability to launch winter activities from the park areas as, well. Activities on a larger scale such as festivals with a regional theme will be easily accommodated.

Constraints

The size of the area and availability of parking will be the limiting factor for events and festivals that take place along the west side of the Canal. The success of drawing tourists to downtown will depend on an excellent marketing plan. It will not be enough to have all the right resources in place. The community will need to participate in a regional recreation plan that connects regional assets and markets them as a complete package. All renovations to both parks are limited by the location of the original canal walls. The walls are considered historically significant and cannot be removed or altered.

East Side of the Canal



South of Saunders Street there is open space land. Boaters can tie-up their boats along the Canal wall and access the street/sidewalk via a stairway at the bridge. Similarly, pedestrians can enjoy this area for informal recreation purposes. Due to the successful grant application submitted in August 1999 through the Heritage Area System, the Village of Whitehall will have an additional \$250,000, partially which will provide much improved public and pedestrian access to the recreation fields, downtown Historic District, museum, railroad terminal and the Champlain Canal.

Water-Enhanced Uses

Just north of Saunders Street, the canal runs behind several eateries. The Times Scoop Ice Cream Parlor has a patio with tables overlooking the Canal. Next door, the Liberty Eatery has a deck just above water level with tables for customers. The Finch & Chubb Restaurant, affiliated with the Lock 12 Marina and located further north, overlooks the Harbor. Patrons can arrive at all of these establishments by water or land.

Opportunities

The water is central to Whitehall's economy. The uses on the water and along the water are similar to land uses along primary road corridors. In order to attract visitors, the uses must be functional and attractive. Given the number of buildings that overlook the Canal, potential exists for additional water-dependent and water enhanced uses. The Water Revitalization Area's water dependent and water-enhanced uses are presently unspoiled by haphazard or excessive development. There appear to be numerous opportunities for business related development especially along the section of downtown buildings facing the Canal. The visual appeal of the buildings, water and related waterfront activities is very strong. One of the most enjoyable aspects of the canal side area is that there are places that are unstructured and informal. The preservation of at least some of this space will permit continued unstructured use.

Constraints

There is presently no feeling of linkage or connection of the various opportunities along the waterfront. There is a need to provide safe, attractive and interesting continuous access between the Canal and the downtown region. The challenge is

to maintain this unspoiled atmosphere in the wake of anticipated increased visitation and use due, in part, to the Skenesborough Park plans.

E. Existing Land Use

Overview

Much of the land area within the Village's boundaries does not resemble the typical village setting. In fact, over half of the land area in the Village is assessed as Wild, Forested, Conservation Land and Public Parks. Much of the land use within the defined Water Revitalization Area along the canal more closely resembles a pattern typically associated with a village setting – relatively dense development and a diversity of land use types. Land use associated with the remainder of the waterfront revitalization area, including the Canal portion known as the East Bay and the eastern portion of South Bay down to the Village line is quite rural in character. The South Bay section, in particular, is isolated with rough access by dirt road or by boat.

Table 2 Current Land Use by Real Property Assessment

Land Use Type	# of Parcels	Area (in acres)	% of Total Land Area
Agricultural	3	127.9	9.80
Commercial	111	2.2	3.37
Community Service	43	52.8	4.05
Forestry	9	254.6	19.51
Industrial	4	14.7	1.13
Public Service	33	253.6	0.4
Recreation/Entertainment	4	5.6	0.43
Residential	-606	281.9	21.60
Vacant	150	226.2	17.34
Water	3	637.7	0.00
Unspecified	3	43.5	3.33
	969	1942.5	
Total Parcels & Acres in Coastal Zone		2402.4	
Balance Outside Coastal Zone		4344.9	
Total Acres in Village			

Source: Washington County Planning Department, The LA Group

Residential



Close to two-thirds of all parcels in the Waterfront revitalization Area in the Canal region are designated residential. Residential uses occur throughout the area and encompass 22 percent of the total land area comprising the Waterfront Revitalization Area. Most of the 553 residential parcels in the Canal zone are developed with single-family dwellings. There are close to 90 two-family dwellings and a few multi-family dwellings and seasonal dwellings. With the exception of a few large

parcels, most residential parcels are less than 20,000 square feet. Table 3, below, itemizes residential land uses by type, number of parcels and land area for parcels in the Canal area.

Land use along the eastern shoreline of South Bay is nearly all residential with a scattered mix of mostly seasonal camps and a few year-round residences. Lot sizes are generally very large. There are three lots that are zoned agricultural on the northeast shore of South Bay. Access is severely limited to most of the area due to the lack of paved roads. There are several rough private roads and jeep trails that provide access from Route 22 just east of the bridge. Access by boat is available via the State boat launch just north of the bridge.

Table 3 Residential Land Uses

<i>Type of Residence</i>	<i># of Parcels</i>	<i>Area (in acres)</i>
Single-family	454	84.9
Two-family	87	12.4
Three-family	6	0.7
Seasonal	3	1.8
Mobile home	2	0.1
Multiple residences	1	0.1
Totals	553	100.0

Source: Washington County Planning Department, The LA Group

Commercial

Though commercial uses are concentrated along Routes 4 and 22, Broadway, and Main Street, they also occur along North and South Williams Streets and on Mountain Street. Businesses are diverse. They include commercial retail businesses, lodging facilities, eat-in and take-out food establishments, professional/business offices, and marinas. In recent months, a gym, fish market, sign painting shop, antique shops, and the Harbor side Market have opened. Several businesses are enhanced by their waterfront location. The Times Scoop Ice Cream Parlor, the Liberty Eatery, and the Finch & Chubb Restaurant are all on the Canal and offer their patrons Canal-side seating.

If one looks solely at the current land uses on Maps 4a and 4b, it appears that the Village has no central business district. Non-residential uses occur along many of the Village's roads. While non-residential development has increased along Routes 4 and 22 south of the Village, the central business district has been along Main Street and Williams Street for over 150 years. It makes sense, from several perspectives, that it remains there. It is in close proximity to a population center, which enhances its pedestrian-friendly qualities. Walking or biking from home to the central business district is not unreasonable. This type of environment reinforces the sense of community as acquaintances meet on the sidewalks and in area businesses. The first floors of many central business district structures are designed for commercial or office uses.

The development of non-residential uses along the area's major travel corridors has had several results. The sense of arrival one experiences upon arriving in Whitehall has not changed significantly in many years. There is, however, a decreasing visual distinction between the Town and the Village. Instead of passing from open country to village as one does at other entrances, there is a strip development feel as one approaches the Town/Village line from the south. Typically, this type of development appears somewhat haphazard with little or no consistent standards for site planning. This type of development has had the positive effect, however, of triggering the renovation or reclamation of several old dilapidated buildings along the Route 22 corridor.

Route 22 (Broadway) as it extends north through the Village, historically and at present, represents an important component to the Village and commercial base. Land uses consist of a variety of commercial business and residential buildings. This commercial area does not have the historic or architectural significance of the "downtown business district" which fronts on the canal, but that does not diminish its importance to the Village. This commercial and residential area bisects the Village and has a significant amount of local and through traffic. Visually, this area is not attractive. Many of the structures on Broadway are in need of repair and improvement and some of the businesses appear marginal. The sidewalks, curbs, and the public ROW in general, are in a state of disrepair and are in need of repair and/or replacement.

This area will continue to be a key component of the Village's residential and commercial environment. It's high visibility and deteriorating appearance and

conditions require that village redevelopment efforts include this area. Its visibility and high traffic are in direct contrast to the historic district or “downtown business district” which is on “Main Street” and fronts directly on the canal.

The downtown business district is an entirely separate problem. Travelers’ perceive Routes 22 and 4 as the main street area and do not look further for other businesses. Routes 22 and 4 also effectively separate Whitehall’s residential neighborhoods from the downtown area. These are very busy roads that are not encouraging for pedestrian crossings. Another constraint for the downtown area is the Champlain Canal’s division of Whitehall’s downtown into two distinct regions. On the negative side, this splits and spreads out the downtown area. On the positive side, it provides twice the waterfront opportunities for the downtown community.

Signage is a real problem in the Village. There are too many signs and structures vying for the individual driver’s attention. In particular, the signage at the intersections of Route 4 and South Williams Street and Route 22 and High Street have a cluttered look and do not portray public information clearly nor concisely. There is a real need to create a signage plan that consolidates information about downtown and presents it in an attractive and engaging way.

Multipurpose

Parcels designated multipurpose have more than one land use. For example, a structure housing a commercial operation on the first floor and apartments on the upper floors is multipurpose. Most of the multipurpose buildings in the Water Revitalization Area are clustered along Main Street between Saunders and Clinton streets. They also occur on Broadway, just north of Poultney Street, and North Williams Street. These are primarily commercial on the first floor and residential on the upper floors.



Broadway has a wide mix of uses in structures representing a diversity of architectural styles positioned to generate a wide range of setbacks. The extent of these differences can be visually confusing. This road segment would benefit from the addition of one or more elements to unify its appearance.

The Water Revitalization Area’s multipurpose buildings have a potentially significant role in the revitalization of Whitehall’s waterfront. Businesses or offices on first floors generate traffic and street activity during regular business

hours. With upper story residents coming and going and with the signs and sounds of life emanating from upper story windows, multipurpose buildings contribute more to street life than single purpose buildings. They enhance the level of activity on the street and add to the area's overall vitality round-the-clock. Many structures along Main Street and North and South Williams Streets are historically multipurpose buildings. Several of them retain this multipurpose function. These buildings, as part of the National Historic District and local historic district, are significant.

Several historically multipurpose buildings have lower and/or upper stories that are vacant or underutilized. Their full utilization would further efforts to revitalize the area.

Recreation/Entertainment

Two of the four parcels designated recreation/entertainment are connected with the Village Recreation Building, Recreation Fields and Senior Center off South Williams Street. Other parcels include the Elks Lodge on North Williams Street and the rod and gun club off Main Street. [Map 5a, "Recreational, Cultural and Educational Uses,"](#) identifies parcels used for these purposes.

Whitehall's areas of open space are a true asset, and include the following:

- Skenesborough and Riverside Parks offer both visual and physical access to the Canal.
- The informal open space areas on the east side of the Canal south of Saunders Street and on west side of the Canal north of Saunders Street also provide access.
- The recreation fields off Williams Street provide multiple opportunities for village youth and young adults.

Community Services

These uses are for the public's general benefit. They include libraries, schools, places of worship, health facilities, government-owned buildings, public parking lots and some cultural/recreation facilities. Within the Water Revitalization Area, there are 44 parcels designated Community Service. These are scattered throughout the Water Revitalization Area and include the Village Hall, the Town Hall, churches, emergency rescue services, Skene Manor, the Skenesborough Museum, Riverside Park, and Cooke's Island.

Skene Manor is an impressive Gothic style building constructed in 1874 and placed on the National Register of Historic Places in 1974. It is run as a not-for-profit corporation and is presently under renovation. Tours of the structure and grounds and a gift shop are available year-round. Skene Manor is identified as a recreational resource on [Map 5a, "Recreational, Cultural and Educational Uses."](#)

Cooke's Island (presently undeveloped) is considered recreational for the purposes of determining the actual present or planned land use. These places are also depicted as recreational resources on [Map 5a](#).

Industry

- The largest parcel designated Industrial in the Water Revitalization Area is EB Metal Industries off Poultney Street. This business manufactures vending machines.
- Smaller parcels designated industrial are on Mountain Street, off Skenesborough Drive, and the corner of School and West streets
- The building on Mountain Street is currently vacant.
- The parcel off Skenesborough Drive is developed with fuel storage tanks and related structures. The tanks are empty and the parcel is not being actively used and is, in fact, presently for sale.
- The industry on the corner of School and West Streets is Darilee Industries. It produces high-end audio speakers.

Public Services

This category includes, but is not limited to, parcels used in or as a necessary adjunct to the provision of public utility services. Two small parcels in the northwestern corner of the Water Revitalization Area and one parcel on South Williams Street near the railroad are designated public service. These are control buildings for various utilities.

Within the Water Revitalization Area, New York State Canal Corporation lands are categorized as public service. Skenesborough Park is on Canal Corporation land that is being leased to the Town under a 99-year agreement. For the purposes of clarifying actual land use from assessed land use, Skenesborough Park, the entire Champlain Canal, and South Bay included is depicted as a recreational resource on Maps [5a](#) and [5b](#), "Recreational, Cultural and Educational Resources."

Agricultural

There are three parcels representing a total of 128 acres that are actively farmed. All are located near the east shore of South Bay near Route 22. The Village of Whitehall should assess the potential for non-point source pollution to South Bay from agricultural operations in the Waterfront Revitalization Area.

Vacant

Some of the Water Revitalization Area's most significant, attractive and centrally located parcels are vacant, abandoned, or underutilized. The appropriate development and/or occupation of these properties would benefit the landowners, benefit the Village residents, and attract visitors.

Vacant parcels encompass more land area than any other land use. One-third of the Waterfront Revitalization Area is designated vacant. The greatest vacant land

area is near the Elbow. This area, north and west of North Williams and Doig Streets, is within the 100-year floodplain and a State-designated wetland. The land area west of the Narrows is also vacant, within a floodplain and a wetland. There are several vacant parcels of significant size in the southern part of the Waterfront Revitalization Area in the areas near the railroad and Wood Creek. Vacant parcels along the east side of North Williams Street and west and north of Cliff Street are on very steep terrain. Vacant parcels are also interspersed throughout primarily residential areas east and west of the Canal.

The Waterfront Revitalization Area encompasses 150 vacant parcels totaling 226.2 acres. This represents approximately five percent of the Waterfront Revitalization Area. It also encompasses hundreds of structures. Currently, the Village's regulations that ensure that new development, redevelopment, or alterations complement existing development are not enforced to their fullest. The cumulative impact of this neglect may be the loss of the very traits that make Whitehall unique. Maintenance of the Waterfront Revitalization Area's heritage is critical to the Village's chances for renewed prosperity.

Some of the vacant properties are not suitable for intensive development. They may, however, be suitable for development that is non-intrusive and environmentally compatible. Potential uses include education (e.g., environmental, historic) and passive recreation (e.g., nature observation, photography).

There are several vacant parcels that are suitable for development. Any new development should be architecturally compatible and proportioned with regard to adjacent and nearby development. There are many vacant developed and abandoned parcels. Unfortunately, the structural integrity of these buildings is deteriorating. The reasons for each building's demise are different. Factors including absentee landowners, lack of funds, lack of interest, and lack of awareness are to blame. A requirement that presents a seemingly insurmountable obstacle to some is the fact that all renovation and rehabilitation efforts must comply with the State Uniform Fire Prevention and Building Code. This is oftentimes cost prohibitive and difficult when older structures are concerned.

In terms of land use planning, vacant parcels can be considered in the following ways: undeveloped, abandoned and underutilized. The following definitions are used for the purposes of describing these parcels. Vacant parcels are those parcels that are owned and maintained but not in use. These parcels have been identified via a combination of real property class codes and site visits. There are two types of vacant parcels, undeveloped and developed. Vacant undeveloped parcels have no physical structures or improvements. Vacant developed parcels have physical structures or improvements. Abandoned parcels are developed parcels that appear as if they are no longer maintained. They may be owned and taxes may be paid, but the properties are not being visibly maintained. These have been identified during the course of site visits. Underutilized parcels are developed parcels that are not fully occupied. With two notable exceptions, judgments regarding the current use of the parcels and whether they are the best use for the parcels were not made. These, too, have been identified during the

course of site visits. [Map 6, “Vacant, Abandoned and Underutilized Parcels,”](#) identifies these various parcels.

Vacant Undeveloped Parcels



Vacant undeveloped parcels are scattered throughout the Waterfront Revitalization Area. All of the larger parcels appear to have probable or identified constraints to substantive development. The following list describes the most significant vacant undeveloped parcels.

- **D&H Property.** This 40-acre piece of property is located along the Route 4/22 corridor in the southern part of the Waterfront Revitalization Area. It is an abandoned railroad yard that may have environmental problems. At one time, the Village expressed an interest in purchasing this property contingent on D&H conducting an environmental assessment. To date, D&H has shown little interest in this idea. This property may qualify as a hazardous waste site depending on the outcome of soil testing at the site. For this reason, potential developers of the site may be discouraged. At the same time, it also makes it an important site for the community to clean up. The site may have potential for Brownfields development under the Environmental Bond Act. It is an excellent lot for a significant industrial or commercial business
- **Wood Creek/Mud Brook Parcels.** This description applies to two parcels in the southern part of the Water Revitalization Area that are surrounded by the railroad, the Canal, Wood Creek and Mud Brook. One is 5.8 acres and owned by EB Metal Industries. The other is 8.2 acres and individually owned.
- **The Elbow.** This 106-acre parcel is almost entirely State-designated wetland. It is under private ownership. It is a significant habitat area for birds, fish, beaver and other small mammals. It also has the potential for passive recreational opportunities associated with future planned uses on Cooke’s Island, such as nature observation. The non-navigable part of the elbow can be reserved for canoeing and kayaking.
- **West of Cooke’s Island.** This 22-acre parcel is also almost entirely State-designated wetland. It is a significant habitat area for birds, fish, beaver and other small mammals. It also has the potential for passive recreational opportunities associated with future planned uses on Cooke’s Island, such as

nature observation. The non-navigable part of the elbow can be reserved for canoeing and kayaking.

- **Cooke's Island.** Much of this island is State-designed wetland. In the past and at present, it has been utilized as a site for the disposal of Canal dredging spoils. The elevated area of the Island is largely due to this activity. This material has been tested by the Canal Corporation and found to be non-hazardous.

Cooke's Island is presently privately owned, with active negotiations underway to donate this land to the Village of Whitehall. Whitehall has proposed the site for a recreational area with trails and an interpretive center.

- **North Williams Street Parcels.** There are several vacant parcels fronting North Williams Street. One is split by a Niagara Mohawk right-of-way. With the exception of land close to North Williams Street, steep slopes prevail.
- **Parcel Adjacent to Northern Insuring on Main Street.** This site has no identifiable constraints to development and could be adaptable to virtually any small commercial business. It is strategically located in the central business district. It is also within the National Historic District and future development of the site will have to comply historic preservation laws.

Vacant Developed Parcels

There are several vacant developed parcels in the Water Revitalization Area that have interesting pasts but uncertain futures. The greatest concentration of these is along Main Street north of Saunders Street. This area is within both the National Historic District and the Urban Cultural Park.

- 90 Main Street (Edwards J. Williams Agency, The Bank Building). This is one of the two oldest bank buildings in Whitehall. The third floor has the remains of the Music Hall Theater ticket office of the 1920s. This structure is intended to be a multipurpose building with commercial/office space on the first floor and apartments on the second and third floors. It appears to be in good condition. It faces the Canal and is for sale.
- 48 Main Street (Chase's). This building's triangular shape is unique in Whitehall. Built in 1829, it appears as if a business recently closed. The first floor appears suitable for two businesses while the second and third floors would accommodate residential uses. It overlooks the Canal.



- 42 Main Street (Chase Grocery, Martindale Market Building). This building site is one of the earliest in the Village. The current building was constructed in the 1860s. This three-story structure is adjacent to the triangular-shaped building. The Martindale Market was the most recent commercial use. It appears that the entire building is vacant. It faces the Canal.
- 140 Main Street (Newsroom Building). This building is smaller than many of those around it. Originally a newsroom, it was converted into apartments. It appears vacant. It was built in 1891 at the height of the canal and railroad industries.

Abandoned Parcels

These parcels are located in some of the more important and visible sites in the Water Revitalization Area.

- **Oil Tanks.** This parcel is located at the northeast corner of the Poultney Street/Skenesborough Drive intersection. It fronts the Canal and is immediately adjacent to Skenesborough Park. Thousands of people pass this parcel each day as they travel Route 4. It is located at a principal entrance to Skenesborough Park and the central business district. The property is 1.4 acres in size and is presently for sale. It may represent a potential local opportunity for a Brownfields Redevelopment Program. Because of its past use as a petroleum storage facility, there are likely significant costs related to the clean-up of the property. This property may represent a hazardous waste site.

The Village of Whitehall would ideally like to market this property to a developer for a motel. There is an expressed need for motel rooms in the community and business leaders feel that there are dollars being lost from the

community because there are not enough accommodations. It is also felt that this parcel is at an important crossroads since it is visible from Route 4 and leads right into the downtown area. The fact that the parcel is located next to the Park and the new boat launch is an added benefit.

- **68 Main Street (Anderson Building/Anderson Hall).** This architecturally unique structure has an iron front, mansard roof with a slate face, and round arched windows. It was built in 1862.
- **Williams Street Parcel.** This four-story structure is between Stan's Appliance Store and the Library.
- **Intersection of Skenesborough Drive and Main Street (Flatiron Building).** This is a three-story brick structure opposite the Whitehall Volunteer Fire Company. It contains four apartments. The owner has stopped all work on the building and has been unreceptive to business propositions and Village efforts to communicate.
- **Troy Shirt Company (Mountain Street).** This parcel housed the Troy Shirt Company and the Town garage. It is unused now. Reportedly, it is a contaminated site.
- **Mountain Street (near Potter Terrace).** This 1.3 acre privately-owned parcel consists of a large building that is designated as an apartment building in the tax records. It appears abandoned.
- A two-acre vacant site located just south of the E.B. Metals Facility on Route 4 was classified in 1990 by DEC as a Class 2 site where hazardous waste presents a significant threat to the public health or the environment. A remedial investigation/feasibility study has been conducted to evaluate the alternatives for addressing the significant threats.

Underutilized Parcels

Partially vacant structures abound in the Water Revitalization Area. In most cases upper stories, traditionally used as residences, meeting or entertainment rooms, are empty. The following list identifies some of the more significant examples.

- **EB Metals Industrial Building and Site Route 4.** This industrial site and facility was once a major employer in the Village. The site and building are now underutilized. The site and facility is one of the few large industrial properties and buildings in the Village and its full utilization could have a significant economic impact on the Village.
- **Chamber of Commerce Parcel.** The Whitehall Chamber of Commerce is located on Route 4/22 at the southern end of the Water Revitalization Area. This is a large parcel, 7.3 acres, which is occupied only by the prefabricated building.

- **Island Parcel, Poultney Street.** This parcel is one of two parcels on the island located at the confluence of Wood Creek and the Canal. It is likely State-owned. The only structure is a residential structure fronting Poultney Street. The balance of the parcel is unused. The Village is considering the possibility of linking the recreational fields to the parcel via pedestrian bridge so that it can be utilized for public access to the water.
- **6-8 North Williams Street (Times Scoop Ice Cream Parlor).** This structure is adjacent to the Village Hall. Its back is on the Canal. The lower level facing the Canal is the Times Scoop Ice Cream Parlor. The street level is a mercantile and the level above this is used for storage.
- **44 Main Street (The Barber Shop).** It appears that the first floor is vacant and the upper stories house occupied apartments. It was built in the 1880s. It overlooks the Canal.
- **58 Main Street (most recently Howie's Bar & Grill).** This building has been home to a bank, used furniture store and grill. It was built in the 1860s. Unlike other underutilized buildings in the Water Revitalization Area, this building's first floor is vacant while the upper story apartments are occupied. The owner has plans to renovate. It overlooks the Canal.
- **114-116 Main Street (Montgomery Ward/Renois Building).** This structure is on the northwest corner of Main Street and Saunders Street. It was built in the late 1860s and has housed a variety of uses. Today, Jami's Impressions, a retail operation, is on the first floor. The second floor is an occupied apartment. The third floor is being converted to an apartment. It is in the heart of the central business district and overlooks the Canal.
- **118 Main Street (Gray Building).** Originally a meat market, this 1908 structure now houses a laundromat on the first floor. The upper floors appear vacant. It overlooks the Canal.
- **122 Main Street (Pippo's Hardware).** This building is just south of the Main Street/Saunders Street intersection. It is currently across the street from Riverside Park. When built in 1877-1878, it was across the street from the original barge canal. Its bricks come from local brickyards. The first story is vacant and the third story appears vacant.
- **144 Main Street (Burns Insurance Agency).** This building was built in 1910, after the other buildings in this row. It was originally a drugstore. It appears that the upper story apartments are vacant. It is across the street from Riverside Park.

Conclusions

The Urban Cultural Park Plan of Whitehall, NY and the Whitehall Village Urban Cultural Park Management Plan stress the importance of the area's image. The Waterfront Revitalization Area's appearance – its pattern of development and

architecture – is key to its economic revitalization. Key questions regarding revitalization and land use planning include:

- What are the overall goals for the Water Revitalization Area?
- How do you involve the property owners?
- How do you involve local financial institutions?
- How can the Village and property owners coordinate efforts so everyone benefits?
- What are suitable uses for these parcels?
- What, if anything, needs to be done to ready these parcels for identified uses?
- How do you market the parcels to potential users?
- What type of funding is available to assist in the process?

Village residents are already addressing some of these questions. A universal fondness for structures in the downtown was the impetus of creating the Village’s “Façade” program that offers grants for eligible building owners who can afford to contribute the required matching funds. All allocated funds in the amount of \$25,000 are presently committed. Individual awards are in the amount of \$3,000 and funds are intended to provide substantial improvement to the outside appearance of individual buildings. A problem with this program is that many building owners simply cannot come up with the matching funds and, therefore, cannot qualify for the program.

In order to preserve these facades and structures, an aggressive approach is necessary. Public/private partnerships; relationships with local and regional financial institutions; coordination with regional, State and Federal agencies; and, grant programs are examples. An example of a potential approach for several of the properties (D&H Railroad parcel and the abandoned Tank Farm) is to designate them as Brownfield Redevelopment sites. New York’s Brownfields Opportunity Areas Program offers grants to eligible communities to rehabilitate properties that have long been abandoned due to concerns over environmental contamination.

F. Zoning and Land Use Controls

The Village of Whitehall adopted a Historic Preservation Local Law in 1985. The law designates the Historic District boundary and provides guidelines for the review of applications for minor and major alterations, demolition, new construction and signage in the district. The Village of Whitehall Zoning Regulations were adopted in 1996. Zoning districts include the following classifications: Residential Class A, Residential Class B, Commercial, Light Industrial, Planned Residential Development, Recreational Park, View Shed, and Wet Lands. These zoning districts closely follow existing land use and are depicted on Maps [7a](#) and [7b](#), “Zoning Map.”

The current zoning regulations may not be flexible enough to accommodate the kind of creative redevelopment needed to revitalize the downtown area. The regulations for historic preservation should also be reviewed so that the best opportunities can be realized without sacrificing the buildings themselves.

Specifically, this means creating allowances for appropriate mixed uses through zoning.

There are also situations where buildings are being substantially underutilized. Vacancy is often due to the fact that these buildings cannot meet new building and safety codes. It can also be simply due to the lack of demand for the kind of space offered. These buildings should be inventoried and assessed for their potential for reuse. A marketing strategy can then be developed to fill underutilized space.

Other than special permit uses, uses do not require site plan review. The Village of Whitehall will consider site plan review provisions for vacant, abandoned and underutilized parcels. And, application of architectural guidelines or standards to jurisdictional projects is also desirable.

Zoning in the Waterfront Revitalization Area

Most of the lands adjacent to the Champlain Canal are locally zoned as Recreation/Park. The Village of Whitehall Historic Preservation Law governs this district. This law does not restrict the kinds of activities and structures that can be constructed, only that activities be consistent with the regulations and spirit of this law.

The remainder of the Canal section is zoned Commercial with the exception of a small Residential B section just to the north of Cooke's Island. The Commercial District allows for offices, banks, eating and drinking establishments, research laboratories, theaters, motor vehicle sales, stations and garages, retail stores, commercial recreation, hotels and motels, churches and schools, and convenience stores. Since the entire canal side Commercial district is also in the Historic District, it is also subject to the regulations contained in the Village of Whitehall Preservation Local Law. The Residential B District allows single family and two family residences. Under special permit conditions, certain other miscellaneous uses are allowed.

The lands along the entire South Bay shoreline are zoned View Shed. The View Shed District allows single family dwellings, general farming, nursery, and timber cutting and other forestry operations.

The Canal itself and Lake Champlain's South Bay are zoned Wet Land. The Wet Lands District permits only boating facilities, such as dock structures. There are no local regulations regarding the size, number or placement of docks. Any construction in the Canal requires a permit from the Army Corps of Engineers and/or the NYS Canal corporation.

G. Development Trends

There have been few new structures erected in the Village in the 1990s. Data from the Washington County Department of Code Enforcement identify twelve new residential structures (including manufactured homes), three new commercial structures and three new industrial structures in the years 1991-

1998. Numerous permits were issued for miscellaneous work including storage facilities and pools. Permits for additions and alterations far outnumber permits for new construction. Most of these permits were for residential work. Visually, the greatest change has occurred along Routes 4 and 22 near the Village/Town line. At a time, not too long ago, the Grand Union was the only commercial enterprise along this segment of road. Now, a variety of franchise businesses occupy the roadside.

H. Significant Economic Activities

Tourism has become more of a central focus for Whitehall since other industries over time have failed or had less presence in the community. The opportunity is strong considering the proximity of the Village to Lake George and the Adirondacks, the State's efforts to revitalize the canal, and the ever increasing numbers of people who make the Route 22/ Route 4 corridor to travel into Vermont. An effort to establish a realistic tourism strategy for the Village is underway and has been coined "Gateway Partnership". This effort was funded through Washington County and the Lake Champlain Byways Program. The Whitehall Chamber of Commerce and the Downtown Business Association are working on this effort with a consultant to define an economic strategy for the Village and county as a whole. This facet focuses on tourism and marketing.

The project is yielding a series of ideas for community and economic development planning, promotion and marketing, and cultural and aesthetic development. The next community challenge will be implementing these ideas in a logical sequence, locating creative funding mechanisms, and working together as a cohesive whole.

Whitehall's designation as a National Historic District and Urban Cultural Park are valuable for both tangible and intangible reasons. The intangible reasons relate to history, respect for family roots, scenic beauty, and one-of-a-kind character. The tangible reasons are the structures and sites themselves and the dollars that they can generate.

As set forth in the Urban Cultural Park Plan, rather than to change the character of the Village, or to restore or rebuild something that no longer exists, Whitehall's Urban Cultural Park Plan is designed to protect, revitalize and promote the valuable historic assets upon which the community's vitality depends. At the same time, the Plan will benefit the State of New York by encouraging visitors to spend time and money in this unique upstate community (page 2).

These designations and all that they symbolize are principal drawing cards for tourism development. The Urban Cultural Park Plan still guides the Village in its efforts to enhance the community.

Major Employers

The Whitehall economy depends on more than tourism. Its residents are involved in many sectors of the economy. Major employers for Whitehall residents

include: General Electric (Rutland), International Paper Company, Great Meadow Correctional Facility, CP Rail, COT Plywood and local schools.

Close to 30% of those employed work for the local, State or Federal government. Almost half of these are State employees. Public sector employers include the Washington Correctional Facility at Comstock, Washington County, and area schools. Two-thirds of those employed are private for-profit wage and salary workers. Larger “local” private sector employers include General Electric, Irving Tissue, Decora, EB Industries, C.O.T. Plywood, and Darilee.

The prevalence of manufacturing companies is reflected in 1990 Census employment by industry figures. Thirty percent of those employed are employed in the manufacturing industry (including durable and non-durable goods). Twenty percent of those employed are in professional and related services such as health and education. Approximately sixteen percent of those employed work in retail and wholesale trade. Almost all of these are in retail trade.

The Washington County Local Development Corporation is very active in the Village of Whitehall. It has assisted several local businesses in their development efforts via three revolving loan funds and a micro-enterprise program.

I. Historic/Archaeological Resources

[Map 8, “Historic/Archaeological Resources,”](#) identifies the Waterfront Revitalization Area’s historic and archaeological resources. The paragraphs below describe them.

Main Street National Historic District

The Main Street National Historic District originally encompassed thirty-seven buildings along both sides of the Canal. Fire and demolition over the years eliminated six of these buildings. Specifically, the district extends along Main Street and North Williams Street between Poultney Street and Saunders Street. Its location stems from the influences of water power and transportation. It was close to the early Canal and easily served the people who lived and worked on the Canal. This location is alongside the north-south continental route that predates the French and Indian War.

The District is three blocks in area. The buildings, built between 1860 and 1908, are mainly three-story and brick. Most of the brick came from two local brickyards. Originally, the buildings housed businesses on the first floor. Some businesses utilized the upper floors for residences. Others utilized them for meeting halls, entertainment rooms, or drill areas.

Many of the buildings were designed and/or built by A.P. Hopson between the years 1862 and 1892. His buildings often exhibit decorative brickwork.

Local Historic District

This district's boundaries are the same as those of the Urban Cultural Park. The themes of defense and transportation are exhibited in this area's development patterns and architecture. Many projects within this district are subject to the provisions of the Village's Historic Preservation Law.

Champlain Canal – National Register of Archaeological Sites, Historic Structures

The Champlain Canal, in and of itself, is a historic resource. Originally built in 1819, the Canal was used to ship many products including wood, wool, iron ore, yellow ochre, ice, potatoes, marble, and eels. The Canal was improved and lengthened in 1832 and relocated in 1912. The earlier Canal, now beneath Riverside Park, Skenesborough Park, and Skenesborough Drive, is on the National Register of Archaeological Sites. Most, if not all, of the bridge abutments, stream receivers and waste gates along the Canal date from the period 1823-1895 and are designated historic structures.

Skene Manor – National Register of Historic Places

Skene Manor, built in 1874-1875, was placed on the National Register of Historic Places in 1974. Its location 200 feet above the Village affords a spectacular view of the Village, the Canal, and the Adirondack Mountains. The Manor was home to State Supreme Court Judge Joseph H. Potter (1821-1902). Following multiple owners and multiple uses e.g., residences and restaurants, a group of residents formed a non-profit organization and purchased the building in 1995. The group sponsors tours and operates a tea room and gift shop to raise funds to restore the building to its original condition.

United States Post Office – National Register of Historic Places

The post office, built in 1936, was put on the National Register of Historic Places in 1989.

Skuttled Boats in East Bay

East Bay is home to remnants of three galleys from the War of 1812. In 1815, six galleys were intentionally sunk in an effort to preserve them. Of the six, one (either the *Confiance* or *Saratoga*) was later blown up and two (the *Linnett* and the *USS Ticonderoga*) were raised. The remnants of the *USS Ticonderoga*, which was raised in 1958, are on display in Skenesborough Park. The waters of the area may also be home to remnants of row galleys from the Revolutionary War. More specifically, during efforts to relocate the Canal, remnants of the *Gates*, *Revenge* and *Enterprize* were spotted.



War of the Rebellion Cannon

The citizens of Whitehall erected this cannon atop Skene Mountain in 1898 as a memorial to those who fought in the Civil War.

Unlisted Historic Sites

Buildings and sites that are historic but not on the National Register include:

- Skenesborough Museum: This building, built in 1917, originally served as a canal terminal building.
- Finch & Chubb Restaurant: The stone portion of this structure served as an ammunition warehouse during the War of 1812. During Prohibition, it served as smugglers' base of operations.
- Other structures: Numerous other structures in the Water Revitalization Area date back to the mid and late nineteenth centuries. The structure located at 18 Division Street (The Café) is deemed eligible for listing on the National Register.

The existence and importance of the Water Revitalization Area's historic and archaeological resources are well documented. Many of them have received State and national recognition. Structure inventory forms, nomination forms, Urban Cultural Park plans, Canal projects, historic brochures, etc. are testimony to the public sector's awareness and appreciation of these irreplaceable resources.

There are two principal concerns. The first is that many of these historic resources are deteriorating. Many private property owners lack the funds or interest to maintain or enhance their properties and structures. Any significant repairs or renovations must comply with the State Uniform Fire Prevention and Building Code. The cost of this can be prohibitive.

One possible reason for owners' lack of funds is lack of tenants/business. If properties are not generating income, it is difficult to pay taxes and maintain

properties. In the case of Skene Manor, a non-profit group was formed to work towards its preservation. Perhaps this is a model for other properties or areas in the community.

The first concern leads to the second concern, attracting visitors. Will visitors come if storefronts are vacant and facades are in disrepair? Will businesses open if there are too few visitors? These concerns are cyclical – like the chicken and egg puzzle. Which comes first?

Historic tourism is a growing segment of the tourism industry. Whitehall has a plethora of historic resources. In addition, the Canal has experienced increased tourism in recent years. Whitehall must tap into this market.

J. Natural Resources

Water



The surface water resources described in this section are identified in Maps 9a and 9b, “Water Resources.” The Champlain Canal is one of the Village’s more prominent visual features and its most prominent water feature. Opened in 1819, the Canal links the Hudson River and Lake Champlain. The Canal’s original purpose was to transport goods, including wood, iron ore and marble

from points north to point’s south. Today, the Canal is principally used for tourism and recreation purposes.

In Whitehall, the Champlain Canal is designated Class C water. According to the New York State Department of Environmental Conservation (NYSDEC), the best usage of Class C waters is fishing. Class C waters shall also be suitable for fish propagation and survival, and primary and secondary contact recreation although other factors may limit the use for these purposes (NYCRR, Part 701).

The Canal connects to Lake Champlain at Lock 12 in the heart of the Village. Just north of the Lock is Cooke’s Island. The section of water west of Cooke’s Island is called the Narrows. North and east of Cooke’s Island is East Bay. East Bay is a Class B water. Class B waters’ best usage’s are primary and secondary contact recreation. Class B waters shall be suitable for fish propagation and survival (NYCRR, Part 701). The Poultney River empties into East Bay in this area. The New York State Department of Environmental Conservation reports

that most all of exotic species in Lake Champlain have been introduced through the Champlain Canal.

The Canal continues northwest towards the head of Lake Champlain. The Waterfront Revitalization Area follows the Village boundary along the Canal and then drops sharply south under the railroad bridge into South Bay. South Bay is the southernmost part of Lake Champlain. South Bay is primarily used for fishing but access to South Bay from the Canal is limited by the existing low railroad bridge which has a maximum height limit of 11 feet. Trailered boats have unlimited access due to the South Bay State Boat Launch on the north side of the Route 22 bridge. South Bay is a Class B water body suitable for contact recreation purposes. Water depth in the channel is about 15 feet and is approximately 20 feet at its deepest point.

Fishing is notoriously good in South Bay. The winter catch is typically crappies (strawberry bass) and white perch. Bullheads are the most commonly caught fish in the spring, walleye in May, and bass during the summer. There is no fish stocking in South Bay. The walleye catch has reportedly significantly reduced in recent years. DEC recognizes this fact, but is unsure of the specific reasons for the decline. Overfishing is not a suspected reason.

The non-native aquatic plant known as water chestnut (*Trapa natans* L.) is known to exist in several sections of South Bay. The water chestnut is an aggressive plant that has the ability to quickly out compete native vegetation. The result can be reduced oxygen levels and reduced access for boaters. The State of Vermont has an active mechanical control program to stop the spread of water chestnut in Lake Champlain. Since the primary way it is spread to other waterways is through hitchhiking to motorboat propellers, boaters are urged to clean their boats and trailers before leaving the area. The South Bay State Boat Launch does not have a boat wash facility, a known tool to manage invasive species.

Wood Creek meanders through the southern part of the Waterfront Revitalization Area and empties into the Canal. Its course and character were significantly impacted by the construction of the Champlain Canal. Wood Creek is a Class C water resource.

Mud Brook is another significant surface water resource in the defined Waterfront Revitalization Area. Its source is just east of the Village boundary. It empties into Wood Creek west of CR12 at the Village's southern boundary. Mud Brook is a Class D surface water. Class D waters' best usage is fishing. For one or more reasons, these waters do not support fish propagation. They shall, however, be suitable for fish survival (NYCRR, Part 701).

There are several unnamed streams that begin west of the Waterfront Revitalization Area, pass through the Village and abruptly end.

Geology, Soils and Topography

The Village of Whitehall is at the junction of two physiographic areas, the Adirondack Mountains and the Hudson-Champlain Lowland.

Pre-Cambrian crystalline rocks known as the Grenville series underlie the Adirondack Mountains. The topography tends to follow a northeast-southwest line reflecting a series of faults that divides the Adirondack area into blocks that tilt downward to the northwest. Bedrock is frequently exposed and the soils are generally thin and of poor quality. The Hudson-Champlain Lowland is a broad depression that stems from the erosion of soft shale and limestone from the early Paleozoic Age. The Hudson-Champlain Lowland area is separated from the Adirondack Mountains by major high angle faults.

The Water Revitalization Area encompasses four soil associations:

1. The Vergennes-Kingsbury Association
2. The Farmington-Rock Outcrop Association
3. The Teel-Hamlin Association
4. The Saprists, Aquepts, and Aquepts Association

The Vergennes-Kingsbury Association-Formed in Glaciolacustrine sediments on lake plains and valleys and association occurs along the Route 4/22 corridor. Soils are deep, moderately well-drained and somewhat poorly drained, moderately textured and fine textured soils formed in calcareous lake or estuarine deposits high clay content.

Soils in this association include Vergennes silty clay loam, Kingsbury silty clay, Covington silty clay loam, and Orthents and Psamments. The Vergennes soils extend from just east of the Route 4/22 corridor to the western boundary of the Waterfront Revitalization Area. Limitations for development of homes, small to moderate scale commercial and industrial developments, and local roads/streets range from moderate to severe because of slope and shrink/swell potential. The Kingsbury silty clay soil occurs in a small area between the Route 4/22 corridor and the railroad at the southern end of the Waterfront Revitalization Area. This soil also presents moderate to severe limitations to development due to poor drainage and shrink/swell potential. The Covington silty clay loam also encompasses a small area, just north of the Kingsbury soil. Covington soil is poorly drained and presents severe constraints to development. Orthents and Psamments extend in a north-south line with the railroad corridor – site of the abandoned canal. They consist mostly of material dredged from the Barge Canal. The material is a variable mixture of dominantly fine gravel and sand and some silt and clay. The site-to-site variability of this mixture is so great that generalizations regarding development potential cannot be made.

The Farmington-Rock Outcrop Association-dominantly shallow soils formed in glacial till over bedrock on uplands. This association occurs in a relatively small area in the vicinity of Skene Mountain. It entails shallow, well-drained, medium textured soils formed in glacial till; and rock outcrop. The Farmington Rock

Outcrop Association presents severe limitations to development in Whitehall because of its slope and shallow depth to bedrock.

The Teel-Hamlin Association-deep soils formed in recent alluvium on floodplains. This association extends along both sides of the Canal and Wood Creek. These soils are deep, somewhat poorly drained through well-drained medium-textured soils formed in recent alluvium high in silt and very fine sand.

This association consists of several soils including Saco silt loam; Saprists, Aqupets and Aquents; Limerick silt loam; and Teel silt loam. Some Vergennes silty clay loam and Farmington Rock Outcrop Association are also present. The Saco silt loam occurs in pockets between the Canal and Wood Creek. This soil experiences frequent flooding and is very poorly drained. Saprists, Aqupets and Aquents are in this same area but immediately adjacent to Wood Creek south of the railroad. These are low-lying level deposits of organic and mineral soil material. They are ponded with shallow water most of the year and, therefore, present severe limitations to development. Limerick silt loam is present in the area between the Canal and Wood Creek south of Route 4 and in the area between the Canal/Wood Creek and South/North Williams Street. This soil has severe limitations to development due to frequent flooding and poor drainage. The Teel silt loam, present between the Canal and Wood Creek, has severe limitations to development because of its susceptibility to flooding. The Vergennes silty clay loam and the Farmington Rock Outcrop Association, described above, occur along and east of North Williams Street.

The Saprists, Aqupets, and Aquents Association – soils formed in organic deposits and Saprists, Aqupets, and Aquents: This association is present on Cooke's Island and in the land area east and west of Cooke's Island abutting East Bay. These soils occur in low-lying areas ponded with shallow water.

In these areas Fluvaquents; Hollis-Charlton Association; and, Saprists, Aqupets and Aquents are present. Fluvaquents occur on the northern part of Cooke's Island. These are recent, unconsolidated deposits of alluvial material on floodplains that are frequently flooded, generally wet, and subject to frequent changes through overflow. Development limitations are severe because of flooding and poor drainage. The Washington County soils map indicates that soils associated with the Hollis-Charlton Association occur on the southern portion of Cooke's Island and on a small section of the northern portion of the Island. It is found on mountainsides in the Adirondacks. Its shallow depth to bedrock and slope determine its severe limitations to development designation. Saprists, Aqupets and Aquents, described earlier, encompass the area known as the Elbow.

Soils on the east side of South Bay are generally thin. The primary soil type is Saprists, Aqupets and Aquents along the south side of the railroad tracks, and Fluvaquents between the tracks and the Canal. Just south of this area is a group of Vergennes and Kingsbury silty clay soils on gently sloping lands. These soil patterns intermittently repeat to the 300 feet contour. Hollis-Charlton association of soils appears on the steeper slopes along with Hollis-Rock outcrop association. Hollis soils are generally shallow, excessively drained, and mainly

medium textured. The primary limiting factors to these soils are their forested rocky slopes.

Topography within the Waterfront Revitalization Area varies significantly. Elevations range from 100 feet at Lake Champlain to 564 feet at the peak of Skene Mountain (USGS Whitehall Quad). The land is level in the immediate vicinity of the Canal and gently slopes upward west of the Canal. East of the Canal much of the land is level with some upward sloping in an easterly direction. The slope of Skene Mountain, however, rises steeply from North Williams Street, adjacent to the east bank of the Canal. Topography along the eastern shore of South Bay ranges from approximately 95 feet at the shoreline to 300 feet at the eastern boundary. Refer to Maps 10a and 10b, "Topography."

A hazardous waste site exists within 500 feet of the Champlain Canal. The Poultney Street Inactive Hazardous Waste Disposal Site (ID#558019) requires remediation, including excavation and removal of contaminated sub-surface soils, groundwater monitoring, and institutional controls.

Wetlands

The defined Water Revitalization Area contains all or part of two State-designated wetlands. These are illustrated on Maps 9a and 9b, "Water Resources". Wetland WH-2 encompasses three areas: (1) a significant portion of Cooke's Island; (2) the area between the railroad and the Narrows from a point approximately 300 feet north of Bellamy Street to Railroad Avenue; and (3) the area between the railroad and Route 22 from a point approximately 300 feet north of Bellamy Street to a point approximately 500 feet south of the Niagara Mohawk right-of-way. This is a Class I wetland.¹ It is approximately 70 acres.

Wetland WH-3 is approximately 110 acres and encompasses the area bounded by East Bay to the north, CR10 to the east, CR9 to the south, and, Lake Champlain to the west. It is also a Class I wetland.

The lower 1.5 miles of South Bay is designated as a deep-water marsh, which has been identified as an extremely complex and valuable marsh complex with excellent native species diversity. The area is threatened with several highly concentrated zone of the invasive exotic known as the water chestnut.

¹ A Class I wetland possesses any of the following seven characteristics:

1. It is a classic kettlehole bog;
2. It is resident habitat of an endangered or threatened animal species;
3. It contains an endangered or threatened plant species;
4. It supports an animal species in abundance or diversity unusual for the State or for the major region of the State in which it is found;
5. It is tributary to a body of water which could subject a substantially developed area to significant damage from flooding or from additional flooding should the wetland be modified, filled or drained;
6. It is adjacent or contiguous to a reservoir or other body of water that is used primarily for public water supply, or it is hydraulically connected to an aquifer which is used for public water supply; or
7. It contains four or more of the enumerated Class II characteristics. The department (NYSDEC) may, however, determine that some of the characteristics are duplicative of each other, therefore do not indicate enhanced benefits, and so do not warrant class I classification.

No significant threats to existing natural resources have been identified. Wetlands perform a variety of important ecological functions related to flood control, water quality, and plant and wildlife survival. If permitted and designed properly, wetlands can be used for environmental education or other passive uses. Their many ecological functions, their beauty, and their unique species can be identified and interpreted in an interesting and environmentally sound manner.

Floodplains

Within the Water Revitalization Area, there are flood hazard areas (100-year floodplains) associated with the Champlain Canal, Wood Creek, Mud Brook, and East Bay and South Bay of Lake Champlain. There is also a floodplain associated with an unnamed stream that flows through the area near Second and Third Avenues. These floodplains overlay a relatively small area of developed land. Waterfront Revitalization Area flooding occurred as recently as 1984 and 1977. Photographs of the flooding are on display at the Skenesborough Museum. The floodplains are depicted in Maps [9a](#) and [9b](#).

Vegetation and Wildlife

Whitehall, which is part of the southern Lake Champlain valley, is home to numerous species of plants and animals. Several of these species, and the communities they inhabit, warrant special consideration.

Generally, species are those that are compatible with and adaptable to the habitats found: village, wetland, wooded, and rock outcrop. Vertebrate species that may be found in the area are listed in Appendix A.

The New York Natural Heritage Program identifies three rare communities and four threatened or rare plant species in the Waterfront Revitalization Area. The communities are described as deep emergent marsh, floodplain forest, and limestone woodland. The plant species are identified as the Canadian single-spike hedge, wiry panic grass, button-bush dodder, and downy lettuce. The locations of these communities and plant species is sensitive information and not available to the general public. Detailed information is on file in the Village Hall.

The Waterfront Revitalization Area includes significant natural communities and significant plant species. Due to the sensitive nature of this information, the Natural Heritage Program prohibits its release to the public. Their presence, and efforts to maintain if not enhance their presence, should be an integral component of project planning and development. The Southern Lake Champlain Valley as a whole has relatively intact systems and habitats. The Nature Conservancy has designated it a Last Great Place. The presence of water chestnut in South Bay places this area at risk for further loss of native aquatic vegetation. A specific long-range plan for its control should be developed.

Several invasive species of real concern are present within the Waterfront Revitalization Area – the zebra mussel, water chestnut and Eurasian water milfoil. Zebra mussels (*Dreissena polymorpha*) travel from one place to another

in the ballast or on the hulls of boats. Once present, they multiply rapidly. They impact water supplies, recreational and navigational boating, and recreation. Within the Waterfront Revitalization Area, their greatest impact is boating-related. The mussels can increase drag, reduce speed and increase fuel consumption of boats. Zebra mussels attach themselves to virtually any solid surface not protected by antifoulant paints. Zebra mussels can be transported in live wells, bilge water, marine toilets, water trapped in trailer frames and safety light compartments, inside the boat's decking, and in the engine's cooling water. Colonies of mussels on navigational aids may cause the devices to sink under the weight of the mussels. A build-up of mussels on docks and pilings can make it difficult for boaters to dock their vessels. The waste from the mussels can also accelerate the decay of docks and pilings. Lastly, mussel colonies can also negatively affect the operation of locks.

The water chestnut grows in the more shallow water of the Waterfront Revitalization Area. If allowed to spread, the plant may become tangled in boat engines utilizing the Canal and South Bay. The plant can be mechanically harvested before the fruits are dropped in the late summer or fall. This technique is presently being utilized to prevent the northward advancement of water chestnut in Lake Champlain. Since 1994, the Vermont Department of Environmental Conservation has been managing the control program, concentrating their efforts on containment along the northern edge of the water chestnut spread. The New York State Department of Environmental Conservation is initiating a program concentrating their efforts in South Bay. The Nature Conservancy considers South Bay and its environs to contain one of the two most diverse emergent marshes in New York State. The Conservancy, therefore, considers it a high priority for focusing its attention on the protection of native species and has formed a "Exotics SWAT Team" where volunteers can search for new infestations of invasive exotic species. The Vermont Department of Environmental Conservation has a similar public awareness program called the "Milfoil and Chestnut Watchers Program." Eurasian water milfoil is also present in South Bay and may be already impacting the passage of boats. Sea lampreys may be present in South Bay, likely using the Mettawee River for spawning purposes.

A fisheries survey conducted in 1983 by Malcom Pirnie found the following species between Locks 11 and 12:

- Gar pike
- Redhorse sucker
- Silvery minnow
- Smallmouth bass
- Walleye
- Black bullhead
- Bluegill
- Brown bullhead
- Carp
- Freshwater drum

A fisheries expert from NYSDEC believes there may also be northern pickerel and rockbass. These waters are too warm to support trout or salmon populations.

Fishing in South Bay is notoriously good. The winter catch is typically crappies (strawberry bass) and white perch. Bullheads are the most commonly caught fish in the spring, walleye in May, and bass during the summer. There is no fish stocking in South Bay. The walleye catch has reportedly significantly reduced in recent years. DEC recognizes this fact but is unsure of the specific reasons for the decline. Overfishing is not a suspected reason.

Scenic Resources

There are several locally important scenic resources in the Waterfront Revitalization Area. These views and their individual components are part of what make Whitehall unique. Scenic resources are not specifically regulated in the Village of Whitehall Zoning Regulations; however, the Historic Preservation Local Law does provide design guidelines for exterior architectural features in the Historic District. Identified locally important scenic resources are:



- View of the Canal and surrounding area from the driveway in front of Skene Manor;
- View of the Village from the Canal when approaching from the south;
- View of Lock 12 from Saunders Street bridge;
- View of the Canal, looking south, from behind the Whitehall Firehouse;
- Views from within the Historic District;
- View of the Canal and surrounding landscape along the northern route to South Bay and all points north and
- View of South Bay and the surrounding mountainsides looking both north and south.



These views are identified in Maps [11a](#) and [11b](#), “Scenic Resources.” The preservation and enhancement of identified scenic views, their components, and their viewing locations are critical to the successful implementation of this program. Coordination and communication with public agencies and landowners, local planning laws and regulations, and property/structural maintenance all have a role in the long term protection of these resources.

K. Transportation

Roads

The Village of Whitehall is 20-25 miles from I-87, the Adirondack Northway. The primary routes through the defined Waterfront Revitalization Area are Routes 4 and 22. Route 4 begins southeast of Albany in the Town of East Greenbush, Rensselaer County. It proceeds northward through the City of Troy. Near the City’s northern boundary, the route crosses the Hudson River into the Village of Waterford in Saratoga County. It then passes through the City of Mechanicville, the Village of Stillwater, the Saratoga National Historic Park, the Villages of Victory and Schuylerville before crossing the Hudson River eastward into the Town of Greenwich, Washington County. Continuing northward, Route 4 passes through the Villages of Fort Edward, Hudson Falls, and Fort Ann before arriving in the Village of Whitehall. At Whitehall, the road veers eastward and crosses into Vermont, eventually going to Rutland and points beyond. The traffic counts for Route 4 segments in Whitehall are provided in Tables 4 and 5.



Table 4

Traffic Counts - US Route 4

Village of Whitehall Average Annual Daily Traffic Counts

<i>Segment</i>	1997	1996	1995	1994	1993	1991	1989
Route 4/22 Overlap	8,150	na	7,900*	7,850	7,800	8,650	na
Overlap to VT line	na	6,700	6,650	6,500	na	4,850	7,950

* Estimated Figure – not actual count

Source: New York State Department of Transportation

Counts for the Route 4/22 overlap increased 4.5% between 1993 and 1997. This follows a decrease between 1991 and 1993. In 1997, the average annual daily traffic count was 8,150. Traffic counts for the segment that extends from the overlap to the Vermont line decreased significantly (39%) between 1989 and 1991, then increased 38.1%, to 6,700, in 1996.

Route 22 enters New York's Rensselaer County from Massachusetts. It travels northward near the western borders of Massachusetts and Vermont. It passes through the Village of Hoosick Falls before entering Washington County. The road continues northward through the Villages of Cambridge, Salem and Granville before veering west to merge with Route 4 at Comstock. Route 22 then travels north through Whitehall crosses South Bay and continues northward through Washington, Essex and Clinton Counties. On its way, it passes through Ticonderoga, Port Henry, Westport, Essex, Willsboro, Keeseville and Plattsburgh. It reaches the Canadian border. Traffic counts for Whitehall segments are provided in Table 5.

Table 5

Traffic Counts - State Route 22

Village of Whitehall Average Annual Daily Traffic Counts

<i>Segment</i>	1997	1996	1995	1994	1993	1991	1986
Route 4/22 Overlap	8,150	na	7,900*	7,850	7,800	8,650	na
Overlap to CR6 (Dresden)	na	3,400	3,750*	na	3,550	3,450	2,500

* Estimated Figure. Source: New York State Department of Transportation

Overlap figures are the same as in the previous table. Counts for the road segment north of the overlap increased from 2,500 to 3,750 (estimate) in the early 1990s. Then, the count decreased, by 9.3%, to 3,400 in 1996.

Road conditions for the State routes in the Waterfront Revitalization Area can be described as good. All roads in the Waterfront Revitalization Area except Route 22 are Village roadways owned and maintained by the Village. Route 22 is owned and maintained by the State of New York.

Where same-year traffic count data are available for Route 4 and Route 22, figures indicate that the majority of travelers are coming from or going to Vermont as opposed to coming from or going to northern New York. Most travelers, therefore, do not see Broadway north of Poultney Street. Most travelers miss the heart of Whitehall. A new signage program is being "tested" in Whitehall. Several signs identifying local amenities and services are strategically located along major travel corridors. Perhaps this will persuade some would-be thru-travelers or fast food consumers to visit the central business district.

Water

Whitehall's relationship with water is as old as the Village itself. Trade routes in the mid 1700s included Lake Champlain, and Wood Creek.

During the Revolutionary War, vessels were constructed in the harbor. Whitehall became a port in 1806. In 1819, the Champlain Division of the New York State Barge Canal commenced operation to Fort Edward. By 1824, it extended to Waterford. Products including wood, iron ore, hay, potatoes, wool, and marble were shipped through Whitehall, on their way south as far as New York City.

Use of the Canal for commercial purposes decreased with the arrival of the railroad. Today, the Canal serves oil barges and pleasure boaters. Lock 12, the Canal's northernmost lock, allows boaters to enter/exit Lake Champlain.

The New York State Canal Corporation (NYSCC) maintains boat counts for each lock in the State Canal System. Data for the years 1996, 1997, and 1998 point to increasing pleasure and commercial vessel traffic passing through Lock 12. In 1999, commercial traffic increased substantially while traffic from pleasure boats fell back slightly to the 1997 level. Table 6 displays this data.



Table 6

*Pleasure and Commercial Vessel Traffic
Lock 12 (1996-1999)*

	1999	1998	1997	1996
<i>Pleasure vessels</i>	2,081	2,254	2,095	1,722
<i>Commercial vessels</i>	351	203	195	183
<i>Totals</i>	2,432	2,457	2,290	1,905

Source: New York State Canal Corporation

Pleasure boating is the predominant use of the Champlain Canal. Traffic has increased, but with smaller rates of increase each year. Of the locks north of Lock 6 (Fort Miller), Lock 12 has recently been the busiest.

As a point of entry, the waterways are just as important as the roadways. In one respect, the waterways are more important. Boaters cannot bypass the heart of Whitehall. They have no choice but to pass through the central business district. The challenge before the Village is to entice the travelers to tie-up their boats and spend time and money in Village businesses.

Rail

The Village of Whitehall is also steeped in rail-related history. The Saratoga and Rensselaer Railroad came to Whitehall in 1848. The Lake Station, built in 1850 just north of the Village, functioned as a transfer point to Champlain steamships. Following the cessation of daily steamship service, the New York and Canada Railroad Company built a line to the Adirondack Mountains. The Rutland & Washington rail line went east from Whitehall to Vermont.

A D& H station was built on Broadway in 1892. This station operated through the early to mid 1990s when a new station was built on Main Street.

Rail represented the Village's largest industry for decades. At the industry's height, 76 trains departed Whitehall each day. Present day service is primarily freight. Amtrak's Adirondacker passenger train stops in Whitehall two times per day. One stop is northbound and one stop is southbound. Amtrak's Ethan Allen Express operates daily service between Rutland, VT, Albany and New York City, with connecting service to Washington, D.C. This train does not stop in Whitehall and offers direct motor coach service to the Killington Resort and Ski Area. Amtrak is making an obvious effort to market this particular train to skiers. A future opportunity may exist in getting the Ethan Allen to make a stop in Whitehall, especially during the fall and summer when marketing efforts turn to more diverse destinations.

It appears that relatively few people arrive in or depart from Whitehall by rail. This does not preclude the possibility of increasing these figures. Travel and tourism packages, perhaps in conjunction with other historic communities in New York or Vermont, may be an option. The Arts and Recreation Committee of Whitehall, NY is pursuing this idea.

L. Water Services

The Village of Whitehall's water source is 6-acre Pine Lake, located approximately 5 miles northwest of the Village center. Water is gravity fed from Pine Lake and stored in a one million-gallon reservoir on old Route 22, approximately 1.5 miles north of South Bay. From there, it is gravity fed to the Village. There is also a storage tank east of the Village that serves C.O.T. Plywood and is available as a backup supply.

Pine Lake supplies water to the entire Village and part of the Town of Whitehall. There are 1,030 residential users and 76 commercial users. Average use is approximately 800,000 gallons per day. The Village must comply with new surface drinking water standards. The New York State Department of Health rescinded the Village's avoidance status and required the Village to build a filtration plant or develop acceptable new wells. The Village owns a sufficient amount of watershed area (200 acres) to protect Pine Lake. Major requirements for compliance, therefore, involved the provision of a floating cover on the reservoir, modernization of the chlorination facility and the installation of a permanent continuous monitoring equipment and chlorination management program. Problems related to the water storage include the repair/replacement of the Pine Lake and Pike Brook dams that impound the Village drinking water supply. The dams are old and deteriorating and are in need of repair or replacement to protect the Village's water supply.

Water quality is excellent and quantities are sufficient year-round. Problems in the water distribution system can be attributed to its age. The gravity feed generates pressures exceeding 120 pounds per square inch causing several pipes to break every year. Much of the line is in need of replacement and, in some cases, relocation. Upgrading of the water distribution system is a necessity, but will be dependent on future funding opportunities. First priority will be given to the replacement and upgrading of the line extending from the Ashe Rose Inn south to the Town line.

Future plans include the replacement of older pipes and, in some instances, the increase of the system's capacity.

There appear to be few problems with the Village's water supply. The periodic pipe breaks, however, do not present an immediate threat. The Village's water storage and distribution system is old and in many instances deteriorated and in need of repair or replacement.

M. Sanitary Sewer Service

The entire Village of Whitehall (approximately 1,100 residential and commercial customers) is served by a system encompassing 15 miles of sewer lines.

All wastewater undergoes secondary treatment at the plant on Riverside Drive and, once treated, is released into the Champlain Canal. The system is designed to treat 600,000 gallons per day. Under ideal conditions, average summer use is 300,000 gallons per day. Winter use is considerably less.

The system does experience significant infiltration from the Village's stormwater system, particularly during periods of heavy rainfall or snowmelt. During these periods, some sewer sections experience overflows and the Village is forced to shut down its aeration system.

The Village applied and was approved for New York State Bond Act money to upgrade the sewer collection system. This money is available contingent upon study results identifying points of infiltration. Specifically, Bond Act funding will

cover approximately 68 percent of the cost of rehabilitating approximately 5 miles of sanitary sewer collection pipeline and 35 sanitary manhole connections to correct the infiltration and inflow problems. Improvements to the wastewater treatment plant include a new fine bubble aeration system, waste sludge handling facility and a tertiary treatment phosphorus removal process. The project will substantially reduce the amount of stormwater inflow to the Village's sanitary storm sewer collection system. Public benefit of the project includes a substantial reduction in the point source phosphorus discharge from the secondary treatment facility into the Champlain Canal.

Bond Act Funds to the Village, in combination with 1 million in loan funds from the Environmental Facilities Corporation will not be sufficient to adequately address the Village's infiltration and flow problems associated with its sanitary sewer collection system. Additional work and additional grant funds are essential if the Village is to continue its comprehensive effort to repair and replace its aging and deteriorated collection system. Adequate public infrastructure to serve its residential, commercial, and industrial base is essential to the Village's revitalization efforts.

N. Stormwater Management

The Village has a stormwater collection system. In certain sections of the Village, the stormwater collection system combines with the sewer collection system and receives the benefit of treatment before its release into the Champlain Canal. During periods of significant rainfall, the aeration system is turned off, and solids settle out into the tank and only partial treatment is achieved. Most stormwater, however, is released, untreated, into the Barge Canal.

The stormwater that is discharged directly through a pipe or some other source is called point source pollution discharge. It is unknown at this time how many point sources discharges there are in the Village of Whitehall. Stormwater includes a variety of contaminants including motor oil, gasoline, brake fluid, and particulates. Non-point source runoff occurs from non-discrete sources such as through groundwater or seepage. Both kinds of stormwater runoff have potentially large impacts on water quality.

To the extent possible, it is important to filter stormwater prior to its direct discharge into a surface water resource. The volume of stormwater is directly related to the impervious (e.g., developed) area. When planning for new development and redevelopment, it is important to consider measures to reduce runoff and direct discharge of runoff into the stormwater system. Landscaping, drainage swales, and retention basins are three methods to reduce the local contaminants entering surface water resources. The planned improvements to the sewer collection system will substantially reduce the amount of stormwater that infiltrates the sewer lines. The project will not, however, address stormwater treatment and this should be an issue the Village addresses in the near future.

SECTION III WATERFRONT REVITALIZATION POLICIES

Section III presents the waterfront revitalization policies and their associated standards that are to be used in guiding appropriate development and actions for the Village of Whitehall. They consider the economic, environmental, and cultural characteristics of Whitehall. The policies are comprehensive and reflect existing laws and authority regarding development and environmental protection. Taken together, these policies are used to determine the appropriate balance between economic development and preservation that will permit beneficial use of and prevent adverse effects on Whitehall's waterfront resources. The policies allow the communities to identify their own waterfront issues and utilize local approaches to address them. Once adopted by the Department of State, the local policies will guide any activity occurring within the LWRP boundary.

A. Community Character Policy

Policy 1 Foster a pattern of development in the Waterfront Revitalization Area (WRA) that enhances Whitehall's 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 the individual communities sharing waterfront along the Champlain Canal is critical to the planned revitalization of the entire New York State Canal System. Due to Whitehall's strategic location along this path and as the gateway to Lake Champlain, the community has shaped the local area, the northeast region, the State of New York, and our nation. Our focus is to sustain and enhance Whitehall as the center of activity along the Champlain Canal and to protect the open landscape that provides ecological, scenic and recreational value. The community character policy is designed to guide development with an eye for the community's unique features and circumstances.

Policy Standards

1.1 Concentrate development and redevelopment in order to revitalize deteriorated and underutilized waterfronts and strengthen the traditional waterfront focus of a community.

The LWRP concentrates revitalization efforts within a boundary that encompasses the land along, and in some cases, the surface of the Village's principal water bodies and waterways. More specifically, this includes land adjacent and within an average distance of 0.25 mile of the Champlain Canal plus land along both sides of Lake Champlain, depending on the Village boundary. The boundary area includes the entire Urban Cultural Park, which coincides with the Local Historic Preservation District. It also encompasses a smaller geographic area designated as the National Historic District. The boundary recognizes the importance of South Bay, the most southerly section of Lake Champlain, as irrevocably linked to the Champlain Canal and the Village of Whitehall through recreational fishing and boating.

Revitalization efforts will primarily focus, however, on the immediate waterfront area in the downtown business district of Whitehall. This is the heart of commerce and activities relating to tourism. It is also the location for Lock 12 which is a focal point for visitors arriving by automobile and a place for Canal users to view the downtown region. Public sewer, water, utilities, and parking are available in the downtown business district and there is adequate capacity in all systems due to recent improvements.

There are a number of storefronts and upper level building vacancies that could be renovated to accommodate new businesses with apartments above. These quaint storefronts across from Lock 12 have direct access to the waterfront and have the best chance for redevelopment in the Village. Many of the buildings presently require too much investment to justify the risk of opening a new business. This problem must be offset by incentive programs offered by the Village and Washington County. The Village will make every effort to encourage the redevelopment of this area by offering incentives such as directing revolving business loans at low interest rates to building owners who elect to renovate their properties. The Village also has an active grant program for qualified property owners who want to spruce up the exterior facades of their buildings. The Village will give preference to these property owners so that this area becomes suitable for attracting new businesses to the Village.

1.2 Ensure that development or uses make beneficial use of their waterfront location.

The Village of Whitehall's waterfront focus has shifted over the last several hundred years from a critical port for the construction of warships to an important recreational and commercial transportation corridor. Today, the Canal is almost exclusively used by recreational boat traffic. Whitehall has responded to this shift by turning economic development opportunities towards the tourist industry. However, the downtown business district continues to support a number of businesses that generally provide services to the year-round population. This trend is in decline and unless failing businesses are replaced by businesses that support tourism generated by canal activities and Whitehall's place as a gateway to Vermont, storefronts will likely remain empty.

The following guidelines will help ensure that uses near the waterfront make the most beneficial use of their waterfront location:

- Prevent any further deterioration of downtown buildings and promote consistent façade design.
- Support, maintain and enhance the facilities and services that support the marina trades.
- Encourage uses at the waterfront for activities and projects that propose to enhance tourism along the Canal.
- Enhance and promote public access for all boats, including non-powered boats.
- Intensify local interest in the Champlain Canal by promoting year-round events and activities.

1.3 Maintain and enhance natural areas, recreation, open space, and agricultural lands.

Whitehall is surrounded by unprecedented natural beauty. While the Champlain Canal officially ends at Lock 12, the southernmost portion of Lake Champlain begins here as *The Narrows* and winds and turns many miles before opening into the main lake. It detours south into a section known as South Bay, which is partly in the Adirondack Park and largely undeveloped. Parts of the shoreline and adjacent areas support unique vegetation and wildlife communities and the Nature Conservancy has recognized this fact by naming it a “Special Place.” All forms of open space are highly valued in this region and should be protected.

The Village presently discourages the over-development of the privately-owned lands on the east side of South Bay. This entire area is two-acre zoning with the only uses allowed as single-family homes, farming, forestry uses and nurseries. The Village will improve these regulations by incorporating shoreline-clearing standards that mirror the Adirondack Park Agency standards, which are applicable on the other side of South Bay. The Village also recognizes that it is essential to protect wetlands surrounding Cooke’s Island and Lake Champlain for their flood protection value, ecological value and visual interest.

Additional guidelines for achieving consistency with this policy are as follows:

- Preserve the few agricultural uses that exist in the Waterfront Revitalization Area. Encourage the use of Best Management Practices for the remaining farms in the South Bay watershed by following the guidelines in the Washington County Farmland Protection Study.
- Protect and maintain the natural resource values of the Village of Whitehall, including open water, creeks, freshwater wetlands, woodlands, and the diversity of fish and wildlife populations.
- Maintain and improve groundwater and surface water quality.
- Protect existing and provide additional recreational open space in the form of parks and recreational lands.

1.4 Minimize potential adverse land use, environmental, and economic impacts that would result from the proposed development.

To enhance community character and maintain the quality of the natural and manmade environments of the Village of Whitehall, potential adverse impacts on existing development, natural environments and economic factors must be addressed and mitigated, if necessary. The Village will review and approve projects that are designed to compliment other nearby land uses, have environmental impacts that can be mitigated, and are predicted to have a positive influence on the local economic environment.

Additional guidelines for achieving consistency with this policy are as follows:

- Minimize the potential for adverse land use, environmental and economic impacts that would result from a new development proposal.

1.5 Protect stable residential areas.

Older residential neighborhoods in the Village of Whitehall should be protected from adverse development impacts and should be revitalized through rehabilitation and homeowner assistance, and, when appropriate, in-fill development. Many of the existing residential neighborhoods are separated from the downtown business district by major roads. There is a need to find ways for residents from these neighborhoods to travel safely from neighborhoods to the downtown area.

Additional guidelines for achieving consistency with this policy are as follows:

- Maximize the potential of residents to safely interact with the downtown business district.
- Provide for a mix of residential and commercial for the downtown business district in the local zoning code.
- Ensure that new development be compatible with neighborhood character.

B. Economic Development Policies

Historically, the Village of Whitehall's economy was based on its strategic location at the northern terminus of the Champlain Canal and adjacent to the railroad lines which run parallel to the Canal. Whitehall's location was central to the nineteenth century water-based transportation system, which provided access to raw materials and manufactured goods from northern New York and Vermont to the industrial cities of the East Coast. The commercial properties, which are included in the National Register of Historic Places, located on both sides of the Canal in Whitehall, stand in testimony to that era of prosperity. When the railroad supplanted the canal system as the primary means of moving goods, Whitehall continued to prosper. The decline of the railroad and the barge canal left the Village isolated and without an economic base. As a result, the Village had a long period of economic decline.

By the early 1980s the Village began the process of rebuilding and in addressing its problems of aging infrastructure and declining and changing economy. The Village began the process of reorienting its economy to a tourist-based economy, to build on its assets and to take advantage of the opportunities presented by the Canal and the Village's historic and recreational potential.

The Village's 1985 Urban Cultural Park Management Plan led to the Village's designation as one of 14 sites chosen as an Urban Cultural Park. Whitehall adopted the dual themes of Transportation and Defense in its planning efforts to create a more tourist-based economy. The Village's long-term economic development strategy, therefore, included plans to improve and maintain its waterfront areas, its public and recreation facilities, cooperate with and undertake joint efforts to maintain and improve the area's economic base, and to promote tourism through the utilization of the canal, its historic buildings and historic location as a recreational and tourist attraction.

The strategy promotes the transition to a more tourist-based economy while protecting, maintaining and supporting the existing industrial and manufacturing

sites and operations. The strategy also includes investing in and repairing, replacing, and improving the public infrastructure as a means to attract private investment. Adequate public facilities are a prerequisite to attracting investment in the Village's historic buildings and other private property.

Policy 2 Protect water-dependent uses, promote the siting of new water-dependent uses in suitable locations, support efficient harbor operation, and protect, maintain and support the existing industrial and manufacturing sites and businesses.

Existing water-dependent uses in the downtown area of the WRA include the Champlain Canal (including Lock 12), two marinas, a public boat launch, and several commercial cruise businesses. In the South Bay area there is a planned fishing pier with handicap access and, just outside the WRA in the Town of Dresden, the State Boat Launch. The intent of this policy is to ensure that these uses are protected from other development that could threaten or discourage their future operation.

Policy Standards

2.1 Protect water-dependent uses.

Actions or projects that would adversely impact or interfere with existing water-dependent uses should be avoided. Conversely, actions that protect and enhance marina and public access facilities should be encouraged.

2.2 Promote the siting of new water-dependent uses at suitable locations and provide for their safe operation.

Water-dependent uses can be defined as those uses that require a location in, on, over or adjacent to a waterway because the activity associated with the use requires direct access to the waterway or the use of the water. Uses that are dependent on a water location require protection against other uses that would impair their operation

Enable new water-dependent uses through the careful review of existing zoning policies and subsequent revision of said policies. Sites that are suitable for development or redevelopment along the Champlain Canal within the WRA that are not environmentally sensitive are limited. Suitable sites include the Fuel Tank Farm property and the some abandoned properties along the west side of the canal just north of Lock 12. The goal of this program is to stimulate economic development in the small hub of the downtown business district rather than spread out resources and dilute the effect of the Village setting. The recreation development potential, however, increases with the opportunity of trail linkages and opportunities at various locations along the canal route up into South Bay.

The review of all new development proposals near the Champlain Canal will take into consideration the impact of new development on existing water-dependent uses. Actions that would adversely impact or interfere with these existing uses will be avoided.

Locate new and expanding water-dependent uses along the Champlain Canal and where they will be exposed to the greatest public use and benefit.

Promote guiding, canoeing, kayaking, recreational fishing and related businesses, such as bait and tackle shops.

Minimize the potential adverse impacts of new and expanding uses by siting them where:

- Parking and local infrastructure is adequate.
- Compatible uses can coexist on shared resources.
- Water classifications support their uses.
- Minimal modifications to the shoreline and lake bottom will be made.

Residential Land Uses

Residential development within the waterfront area will adhere to existing zoning regulations for setbacks, square footages, densities, etc. When designing larger residential structures, such as multi-family dwellings, developers will consider the following:

- Limiting the height of the structure to one in keeping with the existing scale of the street (two or three stories).
- Breaking up the mass of the building so that it blends with other residential structures (this can be accomplished by varying the line of the façade, providing a regular pattern of windows, and/or constructing townhouses, rather than a single rectangular structure).
- Including landscaping that blends with and enhances existing street plantings, including shade trees.
- Including sidewalk connections to the street and/or to the riverfront.

Commercial Land Uses

Viable commercial operations are critical to the success of the LWRP. Making these operations accessible to a variety of users, from boaters along the Champlain Canal to pedestrians along Village streets, will help spur their success. The physical design of these operations should accommodate the variety of users. Developers will consider the following:

- Locating the buildings as close to the street as zoning allows, allowing foot traffic easy access to the establishment.
- Reserving space along the street for outdoor commercial activities, such as sidewalk cafes and sidewalk sale stalls.
- Scaling height of the buildings so that they blend with the existing structures in the waterfront area (when possible, consider two or three-story structures, rather than one-story).
- Designing the buildings so that they blend with other commercial and residential structures (this can be accomplished by varying the line of the façade and/or providing a regular pattern of windows).
- Including landscaping that blends with and enhances existing street plantings, including shade trees.

- Paying close attention to the design of signs and lighting of building façades, so that they engage the pedestrian.

In addition, special attention should be paid to circulation, parking, and parking lot design, as follows:

- Whenever possible, locating parking to the rear of commercial structures to maintain the line of the street and allow for easier pedestrian access to establishments. When establishments front both a river and a street, parking should be on the street side or to the side of the structure(s) with particular attention given to the following considerations:
 - When possible, arranging for shared driveways and parking areas to minimize curb cuts and keep traffic flowing more smoothly.
 - Planning for interconnections between parking areas to keep drivers from re-entering the street when they simply want to move to another parking area.
 - Breaking up expanses of parking areas with planted islands and canopy trees.
 - Encouraging establishments to construct inviting “back doors” that welcome people in from the parking lots.

For landowners adjacent to the Champlain Canal, consideration might be given to providing easements for the continuation of the Canalway Trail. Easements will be granted to the Village to construct and maintain the trail.

Industrial Land Uses

Industrial uses typically require larger masses of land and more expansive facilities than commercial uses. While it may not be economically feasible to construct industrial buildings in a scale similar to commercial buildings, some measures may be taken to aesthetically blend and physically connect industrial complexes with the waterfront area:

- When constructing new industrial facilities, consider breaking up the mass of the building with vertical plantings, such as tall evergreen and canopy trees.
- Breaking up expanses of parking areas into several small lots with planted islands and shade trees.
- If located near the core of the LWRP, building sidewalks leading to existing street sidewalks.
- If located along the waterfront, creating walking links to public riverfront trails, and building overlooks.

Recreational Land Uses

Recreational lands currently exist along the lakefront and riverfront. The Village will expand its recreational offerings by constructing a multiple-use trail network, building on the existing pedestrian pathways and Village sidewalk networks. Additionally, existing historic and interpretive sites provide opportunities for tourism “nodes,” or stopping points along the multiple-use trail. A complete description of the proposed Lake Flower Trail and how it will enhance and expand recreational resources in the waterfront is provided in Section IV.

Ensure proposed new or expanding marinas:

- Provide a range of boating services that support the policies and proposed projects of this LWRP.

Commercial/Residential Land Uses

In areas that reflect a mix of residential and commercial properties, commercial design should complement residential design, and vice versa, maintaining a similar scale, street setback, and planting scheme. Refer to the above descriptions of commercial and residential land uses for specific considerations.

Public Service Land Uses

Public service sites include the Lock 12, the Village parks, and the State Boat Launch. Development projects and programs at each of these facilities should consider the following:

- Preserving, at a minimum, the historic footprints, historic landscape features (such as historic trees), and ideally, the historic shells of the buildings. A large part of their history lies in their spatial layout and architectural fabric.
- Utilizing these sites as features on walking and interpretive tours, and incorporating the same style of signage used at the interpretive points along the multiple-use trail.
- Connecting these facilities through the multiple-use pathway.

2.3 Improve the economic vitality of water-dependent uses.

Existing water-dependent uses in the WRA are highly impacted by businesses that offer competing services or uses. The improvements made in the last several years by the Canal Corporation have greatly enhanced the Village's waterfront area, however, the provision of additional public docking and other services has competed with local commercial businesses. Until the canal and the region in general generate more business, decision-makers must pay careful consideration to the needs of existing businesses.

- Select uses that clearly support existing or planned water-dependent uses by drawing more visitors to the waterfront.
- Seek to stimulate a variety of businesses and waterfront uses that serve to compliment the Champlain Canal theme. Support and promote heritage tourism, which seeks to link regional recreational, historical and cultural opportunities that will ultimately result in significant positive economic benefits.
- Balance the need for additional business with the capacity of the Canal to safely handle both the numbers of boats and the types of boating activity.
- Support the long-term viability of existing water-dependent uses by developing an economic development strategy that addresses their collective needs.
- Support struggling businesses and new entrepreneurs by linking them to start-up funds, low-interest loans and other economic development mechanisms.

2.4 Allow water-enhanced uses, which compliment or improve the vitality of water-dependent uses.

Certain uses that are enhanced by a waterfront location may be appropriate to locate along the Champlain Canal. Their location should not, however, preclude future water-dependent uses. Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature and could include restaurants and outdoor outfitters.

- Support projects that do not interfere with water-dependent uses.
- Site new projects without precluding the future potential expansion of existing water-dependent uses.
- Promote non-water-dependent uses that utilize existing buildings in the downtown.

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

As the public's use of the waters of the canal increases, there is the potential for congestion and the competition for space within the harbor area, surface waters and underwater lands. This can not only degrade the water, but can detract from the public's quality of experience. It may also preclude future development of the waterfront and impact the local economy.

Guidelines to achieve consistency with this policy are as follows:

- Site marinas and other surface water uses so that they do not encroach into the Lock 12 entry or release zones or into navigational channels.
- Develop a long-term dredging plan with the NYS Canal Corporation to alleviate navigation disruption in some of the channels.

2.6 Protect, maintain and support existing industrial and manufacturing businesses, sites, and pursue industrial opportunities as a means to develop a diversified economic base.

Pursue economic development initiative that recognizes the importance of the existing industrial site and businesses in a manner consistent with other policies that promote and protect water-dependent uses.

Policy 3 Protect existing agricultural lands in the coastal area.

There are two active farms in the WRA, both of which are located on the east side of Lake Champlain's South Bay. The open space associated with these agricultural lands is important to the Village of Whitehall. There are several important scenic vistas along the Route 22 corridor north of the Village. Washington County has one of the strongest set of agricultural protection strategies in the State including an adopted farmland protection plan.

The intent of this policy is to conserve and protect existing agricultural lands in the WRA to the greatest extent possible.

Policy Standards

3.1 Protect existing agriculture and agricultural lands from conversion to other land uses, which would eliminate agricultural production or potential agricultural production.

Investigate the potential for establishing a permanent easement on the site thereby protecting it from other types of development that might impact the scenic value of South Bay.

Policy 4 Promote sustainable use of fish and wildlife resources.

Fish and wildlife resources are an integral part of the fabric of life in the Village of Whitehall and the entire region. The abundance of these resources historically has held the highest value in terms of tourist dollars generated. Fishing during all seasons is a coveted activity and brings thousands to the area annually. Hunting is also an important activity, particularly during the fall. The balance of fisheries appears to be in the process of change. Some of the long-time fishing tournaments are in jeopardy because of the alleged lack of walleye populations. In addition, in some of the prime fishing spots non-native invasive aquatic plants are seriously impeding navigation for recreational fishermen.

Policy Standards

4.1 Ensure the long-term maintenance and health of living water resources.

Any project or activity that significantly creates increased sedimentation, erosion or toxic discharge into the Champlain Canal or South Bay should not be undertaken. No activity or action that introduces hazardous wastes or other pollutants in the waterfront area is permitted.

- Protect and manage the native stocks and restore sustainable populations of indigenous fish and wildlife species and other important marine species.
- Assess the potential for pollution in the Champlain Canal and Lake Champlain from non-point sources such as stormwater runoff.
- Minimize the impacts of development in the waterfront on fish and wildlife resources.

4.2 Provide for commercial and recreational use of fisheries.

The Champlain Canal and South Bay are widely used during the winter for ice fishing. During virtually all seasons South Bay provides both recreational experiences and tourism benefits for recreational fishermen. It is essential to the local economy that these fisheries remain healthy and impediments to fishing as an activity be mitigated (Eurasian water milfoil, water chestnuts).

Recreational uses of fish and wildlife resources include not only consumptive uses such as fishing and hunting, but also such uses as bird-watching, wildlife photography, the study of nature and environmental education.

- Actively promote the fishing tournaments taking place in the region and provide the goods and services that support this industry.
- Encourage and support year-round recreational and commercial opportunities associated with the region's resources.
- Support fish stocking activities associated with the State's efforts to keep certain fish populations up so as to provide a better balance of fish species for the health of the overall fishery and to encourage recreational fishing as an industry.
- Promote the annual Bass Tournament by providing services such as places to stay.

C. Waterfront Natural Resources Policies

Policy 5 Protect and restore ecological resources including significant fish and wildlife habitats, wetlands, and rare ecological communities.

The Waterfront Revitalization Area includes significant natural communities and plant species. The New York Natural Heritage Program identified three rare communities and four threatened or rare plant species. Their general location is considered sensitive and protected from release to the public. The Nature Conservancy has designated part of the region as a "Last Great Place" for the purposes of protection.

The NYS Department of Environmental Conservation regulates freshwater wetlands along Lake Champlain's East Bay, The Narrows, and South Bay. There are also significant threats to native aquatic vegetation and habitats due to the presence of invasive non-native species including zebra mussels, water chestnuts and Eurasian water milfoil. All of these factors must be taken into consideration when development is proposed in the Waterfront Revitalization District. It should be noted, however, that no significant natural communities and plant species are known to exist in the immediate waterfront area along the Champlain Canal, which is the main focus for revitalization.

Policy Standards

5.1 Protect significant coastal fish and wildlife habitats.

All projects involving waterfront access must be developed in a manner that ensures the protection of fish and wildlife resources. Planners should consider the potential impacts on fish and wildlife habitats, and the following guidelines will apply:

- Avoid ecologically sensitive areas when siting new development.
- Avoid activities that would impair the value of habitats through physical alteration, disturbance or pollution.
- Increase public awareness regarding the presence of special natural communities and also threats to natural ecological systems.
- Protect native populations by mitigating the potential spread of non-native species by increasing public awareness of how boats should be cleaned and debris discarded.

5.2 Support the restoration of significant fish and wildlife habitats where possible so as to foster their continued existence as natural, self-regulating systems.

- Retain valuable wildlife habitats and fish nursery habitat by protecting the wooded shorelines along the upper reaches of the canal.
- Increase public awareness of the habitat, flood control, scenic and recreation values associated with wetlands.

5.3 Protect and restore freshwater wetlands.

Wetland and wooded areas comprise a major portion of both shorelines of the Champlain Canal north of Lock 12 and south of the Poultney Street Bridge in the area of Wood Creek. These areas offer extraordinary habitat for wildlife, particularly birds and they are excellent places to view wildlife activities.

- Provide and maintain adequate buffers between wetlands and adjacent uses.
- Prohibit the placement of fill or excavation of wetlands.
- Promote the purchase of wetlands by the Nature Conservancy.
- Promote the Land Conservancy Birding Trail planned for Cooke's Island and surrounding environs.
- Integrate the wetlands surrounding Cooke's Island into an interpretive plan.

Policy 6 Protect and improve water resources.

The primary water resource in the WRA is the Champlain Canal. Other important water resources include South Bay and Wood Creek. The maintenance of these resources is paramount to revitalization goals in the Village of Whitehall. Water quality in the lower reaches of Lake Champlain is considered very good and presently not at high risk from the risk of future development. The waters of the Champlain Canal, however, are significantly impacted from stormwater runoff. Runoff from point sources in the Village of Whitehall includes unfiltered, untreated stormwater from the Village's sewage collection system. Other sources are less direct and are transported via the various creeks that discharge into the Canal.

Policy Standards

6.1 Prohibit direct or indirect discharges which would cause or contribute to lowering of water quality standards.

Point source discharges into the water resources will be prevented by avoiding land and water uses which would: exceed applicable effluent limitations; cause or contribute to the lowering of water quality standards; or materially adversely affect receiving waters.

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

- Maintaining efficient operation of sewage and industrial treatment facilities.
- Reducing or eliminating combined sewer outflows.

- Providing and managing on-site disposal systems where appropriate.
- Ensuring that marina pump-out stations are adequately available for boaters and that checkpoints are made in appropriate locations along the Canal and Lake Champlain.
- Continue to upgrade the Village Sewer System so that overflows do not occur due to the infiltration of stormwater.

6.2 Minimize nonpoint pollution of waters and manage activities causing non-point pollution.

Non-point pollution that originates from sources that are not localized or easily identifiable. Limiting non-point sources of pollution will be accomplished by the following:

- Planning and initiating changes to the stormwater discharge system for stream beds and stream banks in order to prevent the erosion of soil, increased turbidity and irregular variation in velocity, temperature and water levels.
- Monitoring the water quality of the streams and creeks discharging into the Champlain Canal and Lake Champlain.
- Inventorying point source pollution discharges and planning how they can be mitigated.
- Preserving local wetland areas for their capacity to filter water pollution.

Dredging is an additional source of pollution to the waters of the canal. Dredging is an essential tool to maintain navigational canals and remove pollutants. These activities may adversely impact water quality surrounding Cooke's Island since this is the area that requires channel dredging every so many years.

- The State should undertake dredging activities carefully so as to minimize adverse impacts and to dispose of the dredge spoils in areas where it will cause the least harm and not limit the area from future public access.

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

- Continue to make the alterations to the Pine Lake Reservoir and Village Water System that will bring it into compliance with the DOH drinking water standards.
- Develop a watershed management plan for the Pine Lake Reservoir.

Policy 7 Minimize loss of life, structures, and natural resources from flooding and erosion.

There are significant 100-year floodplains associated with the Champlain Canal, Wood Creek, Mud Brook, East Bay and South Bay. Flooding is an issue in this community and major floods occurred as recently as 1977 and 1984. The LWRP, however, primarily involves redevelopment opportunities in an urbanized area along the Champlain Canal. The potential for erosion is very low and standards should concentrate on the retention of existing wetlands to help mitigate the potential for serious flooding.

Policy Standards

7.1 Minimize losses of human life and structures from flooding and erosion hazards.

- Locate development and structures away from areas of known flooding hazards.
- Require structures to be elevated or flood proofed, especially where a substantial improvement is planned.
- Investigate recent floods with the NYS Canal Corporation to find out how to better regulate water levels in the Champlain Canal during times of high water.
- Provide funds for housing rehabilitation in the floodplain only in the context of floodproofing, and only when determined as “no practical alternative”.

7.2 *Preserve and restore natural protective features.*

Natural protective features in in-land waters include wetlands and associated natural vegetation. These features should be preserved wherever feasible. Standards applicable to preserving and restoring wetlands and vegetation along streambanks and the canal include:

- Avoiding alteration or interference with shorelines in their natural condition.
- Restoring natural features wherever practical.
- Using vegetative approaches to stabilizing natural shoreline features.
- Increasing public awareness as to the benefits of wetlands.
- Promote open space and recreational uses to enhance lands bordering the Champlain Canal, particularly Cook’s Island, while minimizing impacts to the floodplain.
- Seek conservation easements along privately-owned lands east and west of Cook’s Island to protect wetlands and adjacent natural areas from future development.

7.3 *Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.*

Every effort should be made to protect the loss of public lands threatened by flooding and erosion using the techniques and standards described in the above section. In addition:

- Support the development of a plan that addresses flood mitigation at Lock 12 and the dam structure.

D. Environmental Policies

Policy 8 Protect and improve air quality in the coastal area.

This policy provides for the protection of Whitehall from air pollution generated within the waterfront area, or from outside the waterfront which adversely affects waterfront air quality. Air quality is excellent in the Whitehall region due to the local lack of heavy industry and a low concentration of population.

Policy Standards

8.1 Control or abate existing, and prevent new air pollution.

- Prevent new sources of air pollution by ensuring that future projects do not exceed thresholds established by the Federal Clean Air Act and State air quality laws.
- Reviewing land use or development in the waterfront area to ensure it does not generate significant amounts of nitrates and sulfates.

Policy 9 Promote appropriate use and development of energy and mineral resources.

The intent of this policy is to foster the conservation of energy resources by seeking alternative energy sources and minimizing the impact of fuel storage facilities.

Policy Standards

9.1 Conserve energy resources.

The conservation of energy should be an important consideration in the process of planning future projects. While the primary mode of transportation is the automobile, the Village of Whitehall has major rail service to Montreal, Rutland and New York City. The Champlain Canal is also an important transportation corridor for recreational users and tourists. Whitehall should continue to promote energy efficient modes of transportation, including rail and freight facilities. In addition:

- Promote ways of increasing energy efficient modes of travel by cooperative tourism planning with regional and Statewide organizations who are in the process of integrating modes of transportation for pedestrian, bicycle, automobile and various Champlain Canal uses.
- Promote energy efficient design in new developments.
- Promote greater energy generating efficiency through upgrades of existing public facilities.

9.2 Minimize adverse impacts from fuel storage facilities.

The following standards were derived from 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 is done in accordance with DEC regulations.
- Liquefied natural gas facilities must be safely sited and operated.
- Natural resources must be protected by complying with local, county and State oil spill contingency plans.

Policy 10 *Minimize environmental degradation from solid waste and hazardous substances and wastes.*

The intent of this policy is to protect people from contamination waterfront resources from degradation through the proper control and management of wastes and hazardous materials. Solid waste is not a significant local issue since it is managed on a regional basis in Washington County. All solid waste, except recyclables, is transported to the Adirondack Resource Recovery Facility for disposal.

Hazardous substances have been identified on several sites in the Waterfront Revitalization Area. These sites are presently being evaluated for their potential for redevelopment. The D & H property and tank farm parcel are located at gateway entrances into the downtown business district and present a negative image for the Village. Both parcels will need remediation before redevelopment can take place.

Policy Standards

10.1 *Manage hazardous wastes to protect human health and control pollution.*

Priorities include:

- Assess hazardous waste sites in the Village.
- Ensure no leakage from these sites is reaching Canal waters.
- Arrange for the remediation of inactive hazardous waste sites.

10.2 *Prevent and remediate discharge of petroleum products.*

Effective management of solid waste should follow the established State priorities for reducing, reusing and disposing of waste, including:

- Reduce the amount of solid waste that is generated.
- Require an adequate plan for the prevention and control of petroleum discharges at all petroleum-related facilities.
- Undertake clean up and removal of petroleum discharges according to State guidelines.
- Publicize and educate all boaters and marina operators about the impacts of refueling spillage and methods to prevent it.

10.3 *Transport solid waste and hazardous substances and waste using routes and method which protect the safety, well being, and general welfare of the public and the environmental resources of the State, and protects continued use of all transportation corridors and highways and transportation facilities.*

- Encourage the safe transportation of hazardous substances and wastes through the Waterfront Revitalization Area.

E. Public Lands, Recreation, and Culture Policies

Policy 11 Provide for public access to, and recreational use of, Canal waters, public lands, and public resources of the waterfront area.

There is presently excellent access to the waterfront along the Champlain Canal and Lake Champlain. This project proposes to enhance access points and connect points of interest along both sides of the Champlain Canal. Canal initiatives recently completed include a new boat launch facility which will alleviate the necessity of trailers having to go approximately 30 miles to the north or south of Whitehall. The proposed extension of the Canalway Trail, both north and south, will open up sections of the Champlain Canal to public viewing and enjoyment.

This policy incorporates measures needed to improve public access and recreational resources.

Policy Standards

11.1 Promote appropriate physical public access and recreation throughout the waterfront area.

Improving public access to the Champlain Canal is very important. Public access and new recreational facilities have the potential to attract tourists, improve the quality of life for residents, and generate revenues for the community. The trail, park development, and Lock 12 improvements will be the primary means of increasing public access to the Canal. In addition, the proposed wheelchair-accessible facility at South Bay, the planned arts/nature center and nature trails on Cooke's Island will provide new sources of public exposure to the waterfront.

The following standards should be used as a guide in making future decisions regarding public access and expanding recreational opportunities within the WRA.

- Require that all new development in the downtown business district that has direct access to the waterfront provide public access through easements or other methods so that the Canalway Trail can proceed.
- Promote the physical amenities such as marinas and waterfront restaurants associated with Whitehall.
- Work to develop the Canalway Trail and physical access linkages along the Canal.
- Promote the public acquisition of Cooke's Island for the purposes of creating public access to the natural features surrounding the island.

11.2 Provide public visual access to waterfront lands and waters or open space at all sites where physically practical.

To the extent feasible, views of the Champlain Canal and South Bay and public access locations should be expanded to allow appreciation of the beauty of these resources, and to increase the attractiveness of the waterfront for residents and visitors.

- Protecting view corridors provided by streets or natural resources.

- Prevent the loss of existing visual access by limiting the scale, design and location of structures and activities in the waterfront area.

11.3 *Provide access and recreation, which is compatible with natural resource values.*

Access and recreational activities must avoid adverse impacts on natural resources. The following factors should be utilized in determining the potential for adverse environmental effects: the intensity of the anticipated recreational activity; level of disturbance associated with the activity; and sensitivity of the natural resources involved.

Access should be limited where the uncontrolled public use of a recreational facility or public access site would impair the natural resources of that area. The following standards should be applied in analyzing projects along waterfront areas:

- Impose seasonal limitations on public access where necessary to avoid adverse environmental impacts or the ability of the community to monitor the site.
- Provide public access for passive and active fish and wildlife resource activities providing that access will not result in the loss of resources necessary to continue supporting these uses.
- Promote the development of pedestrian and bicycle trails along the waterfront to foster public appreciation for this resource.

Policy 12 *Enhance visual quality and protect outstanding scenic resources.*

There are several important scenic resources in the Waterfront Revitalization Area that make it unique and worthy of protection. Whitehall's Historic Preservation Local Law also recognizes scenic resources, as structures having architectural features that are historically important and deserving to be preserved.

Policy Standards

12.1 *The policy should protect and improve visual quality throughout the waterfront area.*

The scenic values associated with the waterfront along the Champlain Canal, which is designated as part of the Canal Byway, should be protected. Developments and activities in the waterfront area that add visual interest and excitement to the waterfront should be encouraged.

- Review the impact of new or redevelopment on existing visual resources.
- Restore deteriorated and degraded visual elements.
- Screen elements which detract from visual quality.
- Allow selective clearing of vegetation to provide or enhance public viewsheds.

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

The policy should protect aesthetic values associated with recognized areas of highest scenic beauty, including South Bay and Cooke's Island.

- Protect the scenic values located in South Bay, which has exceptional views into the Adirondack Park and the Champlain Valley.
- Develop Cooke's Island in a manner that does not significantly impair views. Limit structures on the island to unobtrusive buildings such as picnic pavilions.

Policy 13 Preserve historic resources.

The intent of this policy is to preserve the historic and archaeological resources of the Waterfront Revitalization Area. These resources are both points of interest for visitors and valuable links with the region's past. This policy recognizes the importance of preserving local treasures, as well as the overall heritage of the entire region.

Policy Standards

13.1 Maximize preservation and retention of historic resources.

- Provide for public investment in historic development so as to demonstrate to the business community the benefits of investment in these important resources.
- Avoid potential adverse impacts of development on adjacent or nearby historic resources by guiding size, scale, proportion, materials and buffer type to be compatible with the historic resource.

13.2 Protect and preserve archaeological resources.

The Champlain Canal has a long rich history with many sites of significance to the French and Indian War and the Revolutionary War. To ensure archaeological remains of these historic times and events are protected, all impacts on significant resources should be evaluated. Potential adverse impacts should be minimized by: redesigning the project; reducing the direct impact on the resource; or recovering data and artifacts prior to construction.

- Protect the old part of the Champlain Canal, located beneath Riverside Park, Skenesborough Park and Skenesborough Drive, which is on the National Register of Archaeological Sites, from disturbance during park renovations.
- Consider potential submerged archeological and cultural resources in shallow inundated or wetland areas that may have been preserved for prehistoric occupation and use. If any such sites are found, the Village should contact New York's Ad-Hoc Interagency Committee for Submerged Cultural Resources, which is responsible for establishing shipwreck preserves.

SECTION IV PROPOSED LAND AND WATER USES AND PROJECTS

A. Proposed Land and Water Uses

A key component of Whitehall's Waterfront Revitalization Program consists of the proposed land and water uses and proposed projects. The Inventory and Analysis of waterfront conditions (Section II) along with the applicable State and local policies (Section III) provide the basis for this component. Methods and techniques to implement these proposals, including amendments to the Village's Zoning Ordinance, are detailed in Section V.

The implementation of the LWRP represents a concrete step in the Village's efforts to rebuild the local economy by enhancing waterfront opportunities for redevelopment and new development. The type and quality of future development in the waterfront area determine the level of this effort's long-term success. There is a great deal of momentum to take this process forward due to the improvements made by the NYS Canal Corporation over the last few years. The new boat launch, picnic pavilions, docking facilities and other public facilities make Whitehall a destination stop along the Canal and a true northern gateway into Lake Champlain. The new improvements signify the commitment of a significant amount of public investment. The Canal Corporation is dedicated to marketing both the Erie and Champlain Canal systems as significant tourist destinations and will promote appropriate businesses to specific sites along the Champlain Canal, especially Whitehall and Waterford since they are the gateways for the Champlain Canal.

1. Introduction

This section identifies three primary land use type areas: those that are stable (or well-established uses that are not likely to change substantially in the future), redevelopment opportunity areas which represent areas for which a variety of uses would be acceptable and encouraged, and the third category includes areas within the waterfront where important natural or manmade resources are found.

2. Areas of Predominantly Stable Land Use Areas

The most stable categories of land use occupy the majority of the land use pattern within the Village of Whitehall. It incorporates the residential neighborhoods on the west side of Route 22, the business district along Broadway (Route 22), and the open space lands and low density residential shoreline that characterize the east side of South Bay. There are also no dramatic changes in land use anticipated in the residential areas of the Village on the east side of the Champlain Canal. In general, these areas are not subject to any foreseeable changes in land use types and patterns or other factors which could significantly alter the character of the Village. All of the proposed land uses are compatible with the long established Village development patterns.

The business district along Broadway (Rt. 22) includes numerous residential properties. This area, in general, is in need of improvement to the structures and

to the public facilities. This area, therefore, while stable in terms of land use, could be targeted for comprehensive improvement actions. It is, therefore, concluded as an area suitable for redevelopment.

3. Areas Suitable for Development, Redevelopment and Enhancement

The areas of the Village suitable for development, redevelopment, and enhancement are the land areas adjacent to and just beyond the Champlain Canal. There is also a large parcel that is located along Route 4/22 adjacent to the railroad that is suitable for redevelopment. In addition, Broadway (Rt.22), particularly the area north of where Route 4 splits from Route 22, is an area that should be targeted for comprehensive public and private redevelopment measures.

EB Metals

The EB Metals site is also an underutilized manufacturing facility and has the potential for reuse as a significant industrial or manufacturing operations that could have a major impact on the Village economy.

Cooke's Island

Cooke's Island is an undeveloped, largely forested island just north of Lock 12 on the Champlain Canal. The island divides the canal from the west shore of Whitehall. The shallow waters between the island and the west shore provide excellent habitat for birds and other wildlife. This property was historically used as a place to dump the canal spoils during dredging operations. Today, it has potential for significant recreational uses.

Railroad Property

The Village will work with Washington County Local Economic Development Corporation and the Whitehall Chamber of Commerce to market the vacant property belonging to the railroad. It has the best potential as an industrial site since it is located adjacent to the rail line along Route 22. It could also be well utilized as a commercial site, such as a mini-mall.

Triangle Point

Positive impacts from the planned Canalway Trail's interconnectivity include increasing the potential of being able to market Triangle Point, the peninsula property to a developer for the development of a waterfront motel and Recreational Vehicle complex. This is an ideal site from the standpoint that it has excellent exposure to the Route 4 corridor and to the Champlain Canal. The Village recognizes that this is the location where commercial development has the best chance of success and would want to market the site with local economic development specialists to gain the greatest exposure to waterfront resources. Site improvements should include docking, launching for non-motorized boats and a dedicated snowmobile access site.

4. Sensitive Development Areas

Sensitive development areas are places that need special attention due to the presence of wetlands, hazardous waste sites, contains endangered species or habitats, or is at high risk for erosion. These areas have been identified in Section II of the LWRP and include the lands around Wood Creek, South Bay and the Champlain Canal where wetlands exist (see Section II. J and Maps 9a and 9b, “Water Resources.” These lands are proposed to be retained as open space.

Sensitive development areas also include areas with high scenic value. These areas are identified in Section II. J and in Maps 11a and 11b, “Scenic Resources.” It is particularly important to preserve the integrity of the viewshed looking from Skene Manor and from South Bay and the hills surrounding South Bay. Proposed buildings and other obstructions to these views should be carefully considered during the review process and mitigated to the greatest extent possible while continuing to support growth and improvement to private property owners.

Sensitive development areas also include contaminated areas. There is one such site in the Village- a two-acre vacant site located just south of the E.B. Metals Facility on Route 4 was classified in 1990 by DEC as a Class 2 site where hazardous waste presents a significant threat to the public health or the environment. A remedial investigation/feasibility study has been conducted to evaluate the alternatives for addressing the significant threats. A hazardous waste site exists within 500 feet of the Champlain Canal. The Poultney Street Inactive Hazardous Waste Disposal Site (ID#558019) requires remediation including excavation and removal of contaminated sub-surface soils, groundwater monitoring, and institutional controls before any new development can occur on the site.

B. Proposed Water Uses/Harbor Management Plan

Water uses in and along the Champlain Canal in Whitehall will continue to be devoted to docking, boat rental opportunities, opportunities for both hand-launch and trailered boats, fishing access, and the provision of a variety of marina services. A business new to the waterfront is the public rental of large luxury boats for touring (Blue Heron). These are fully equipped boats marketed towards the downstate customers looking for an unusual experience north through the Canal and into Lake Champlain and the St. Lawrence River, south to Albany and west through the Erie Canal System, or south along the Hudson River to the New York City region. The LWRP encourages providing support services for Blue Heron, such as overnight accommodations, restaurants, and recreational supply stores. Additional water oriented businesses that are desired include small tour boats, such as the one presently operating out of Schuylerville, exposure of Canal resources for the fast growing industry of canoeing and kayaking accomplished by the development of a dedicated small public boat launch just north of Lock 12. In addition, fishing access for the wheelchair-accessible should be provided in South Bay.

As previously described in Section I - Waterfront Revitalization Area Boundary and Section II - Inventory and Analysis, the Champlain Canal flows through the Village,

and its artificial land-cut channel is included within the Waterfront Revitalization Area. The Champlain Canal is part of the State Canal System and is owned and maintained by the New York State Canal Corporation. Consistent with boating activities throughout the Canal System, long-term water uses appropriate for the Champlain Canal within Whitehall include recreational and, to a lesser extent, commercial boating.

A key recommendation set forth in the statewide Canal Revitalization Program was the establishment of harbor centers and service ports at existing urban and village centers along the length of the Canal System which would provide an array of pedestrian and boater public services aimed at revitalizing the System as a major recreation resource. In this regard, Whitehall was identified to serve as one of seven (7) major Canal System harbor centers, and the NYS Canal Corporation subsequently invested over \$2.5 million for completion of extensive harbor improvements within the Village, including the following:

- 30 ft. wide boat launch, together with vehicular parking;
- 350 linear ft. of floating docks;
- park benches, trash receptacles, and bicycle racks;
- kiosks and directional signage;
- bulkhead repairs at Skenesborough Park;
- a gateway gazebo into the harbor area; and
- a 1,800 sq. ft. picnic shelter and 2,000 sq. ft. recreational structure at Skenesborough Park.

While the Village works in partnership with the NYS Canal Corporation and other state agencies to develop public access and boater enhancements, jurisdiction for use of the Canal and shoreline rests with New York State. In this regard, the Canal Corporation maintains the navigation channel and canal infrastructure. In addition, rules and regulations adopted pursuant to NYS Canal Law (21 NYCRR Sub-chapter D, Parts 150-156) and design standards enforced by the Canal Corporation serve as the definitive controls governing use of the Canal. Key provisions set forth in the rules and regulations are as follows:

- Navigation season -beginning from April 5th - May 20th to November 15-20;
- Size of boats -up to 300 ft. long and 43.5 ft. wide;
- Maximum boat speed -6 mph along land-cut canal segments (such as Whitehall) and dependent on local conditions along canalized rivers and lakes.

The Canal Corporation regulates occupancy of Canal Corporation lands adjacent to the Canal System through the issuance of revocable permits. The Canal Corporation also enforces guidelines governing the construction of docks along the Canal System, set forth in Standards for Docks on the Canal System. Key provisions of those standards are as follows:

Applicable to residential/non-commercial docks accommodating four or fewer boats with a maximum dock length of 100 ft. (commercial and larger docks analyzed on a case-by-case basis;

- Docks shall have a minimum offset of 24 ft. (for land-cut canal sections) or 50 ft. (for canalized waterbodies) from navigation channels;
- Docks shall be constructed parallel to the shore in land-cut areas and be at least 50 ft. from navigation aids;
- Docks shall not interfere with Canal navigation
- Dock designs shall be approved by the Canal Corporation;
- Boat slips must incorporate acceptable provisions for shoreline protection;
- One dock per property owner is permitted;
- Docks shall not restrict access across Canal lands;
- Docks shall be set back at least 10 ft. from adjacent property lines; and
- Excavated slips shall be no larger than 1,000 sq. ft.

The complete text of the dock standards is attached as Appendix D.

C. Proposed Public and Private Projects

1. Introduction

As part of the LWRP, the Village of Whitehall recommends several large projects and a series of small inter-related projects that are designed to expand the opportunities provided by the waterfront improvements funded and recently funded by the Canal Corporation. Proposed projects and generalized uses can be found on [Map 12 “Proposed Projects.”](#) The recommendations not only provide more public access to the waterfront, but also link local, regional and national trail systems and direct commerce to the downtown Village Business District to strengthen the local economy. The LWRP utilizes its rich historical resources to link and market them riding the current trend to build national heritage tourism. The LWRP includes a number of initiatives that are based on creating a visitor base that can support a diversity of new businesses. The “Gateway” group suggested a number of initiatives that have been incorporated into the LWRP.

2. Proposed Public Projects

Extend Canalway Trail

Extend the existing trail to the south to correspond with the Town of Fort Ann’s plan to connect the Canalway Trail to Whitehall and the larger scheme to create one byway from Waterford to Canada. Potential obstacles to a continuous path are the many stream and wetland crossings that will be necessary along the canal route south. Permitting and bridge construction will tend to increase the cost of the project.

The Village of Whitehall also proposes to extend the Canalway Trail north beyond Lock 12 Road to a site to be known as the future nature and arts center. From this site, the trail continues over a pedestrian bridge onto Cooke’s Island. This route also has water obstacles that must be overcome. There are bridges that are no longer operational for vehicles but may be acceptable for pedestrian use. These should be investigated for use along the trail and to connect over to Cooke’s Island.

Ultimately, the destination for the trail north should be the old Route 9 spur along Route 22 where the wheelchair-accessible fishing site is planned on South Bay. One of the ways to avoid the wetlands would be to secure easements along the Niagara Mohawk right-of-way.

The Trail should be equipped with benches, lighting and other amenities that are part of the present pedestrian walkway at the site at South Bay.

Wood Creek Pedestrian Bridge and Trail

In order to provide the greatest amount of public pedestrian access to the waterfront, the Village is proposing that the trail on the east side of the Saunders Street Bridge running south along the Canal be extended to Route 4 and merge with the existing sidewalk as recommended in the Urban Cultural Park Redevelopment Plan. At the point at which the path intersects with the south end of the ball fields, it would cross over to the peninsula via a pedestrian bridge across Wood Creek. The trail would continue along the northern perimeter of the peninsula and the west side until it reaches the sidewalk along Route 4. It would then link up to the proposed path along the fuel tank property and form a fully linked walking trail from virtually any location along the Canal. Recommended improvements for the part of the trail where docking is offered includes adding picnic tables, grills and small covered pavilions. Some sections of the proposed path will require securing some kind of easements since much of this land is privately owned. Additionally, a trail marker should be placed at the entrance to the existing trail from the Village up Skene Mountain.

Cooke's Island

The Village (with the Town of Whitehall) proposes to purchase or lease Cooke's Island from the US Army Corps of Engineers (ACOE) and develop it into a public day-use primitive recreation area. Presently, negotiations are continuing with ACOE on ownership and compatible land uses for the island. Cooke's Island was recently used by the ACOE to dispose of dredging spoils from the Champlain Canal. Cooke's Island presently has no public access and is essentially vacant with a few scattered abandoned ice shanties. Only pedestrians and bicycles (emergency vehicle access would be incorporated into the plan) would have future access to the island. Such a bridge is envisioned to connect Lower Main Street to Cooke's Island. The Canalway Trail would continue on Cooke's Island where it would make a complete loop linking picnic and canal viewing sites. Cooke's Island is a prime area for viewing wildlife because of the excellent wetland habitat on the west side of the island and across the canal as well. A bird watching trail should be developed with the cooperation and guidance of the Nature Conservancy or Lake Champlain Basin Conservancy. Picnic sites should be developed along with docking areas north of Cooke's Island along east side of the Canal at the base of Austin Hill.

A formal canoe/kayak access point would be established on the island at the most reasonable point along the east side of the island. The entire area has very strong potential for the development of small-craft boating. An association who

promotes this activity should establish a formal canoe/kayak route with recommended stopovers. The southwest side of Cooke's Island is presently too shallow for the passage of non-motorized boats. This must be corrected so that kayakers can completely circle the island and enjoy the total experience of viewing wildlife from the water. Dredging of this area is recommended, however, there are archaeological and cost issues to resolve before this project can go forward.

Wheelchair-Accessible Fishing Access Site

The Village seeks to provide greater access to the waterfront to persons with disabilities. As such, the Village proposes to develop the Old Route 22 road into a recreational facility with opportunities for people with disabilities, including picnicking, fishing and nature viewing. This site is located on South Bay, Lake Champlain, a coveted fishing resource. The site would be equipped with restrooms for use by people with disabilities. Toilets, sinks, mirrors, water fountains, towel and soap dispensers, and grab bars should be installed at wheelchair level. All access points should be marked by appropriate signage. An additional feature to the site is a designated non-motorized public access point.

The site should have the following access features:

- a) Picnic pads: 20' x 20' hard surface areas, usually concrete, with picnic tables, barbecue grills and water spigots at wheelchair level.
- b) Fishing areas: accessible platforms or piers with safety rails.
- c) Nature viewing: wood or hard surface walkways, ramps and observation platforms, all equipped with safety rails.

Marina Pump-Out Facility

The Village identified the need to provide public access to a marina pump-out facility in the Village of Whitehall. The closest pump-out facility is roughly 35 miles in either direction. Providing these services would benefit the community because they could be marketed to boaters on the Canal and attract their attention directly to Whitehall. The pump-out facility would be located at the municipal wastewater treatment facility south of Lock 12 on the west side of the canal off North Main Street. Services will accommodate virtually any size boat and will be offered for a fee to offset the costs of constructing the hookups and dock.

Economic Development Plan

The Village of Whitehall has recently completed a Community Development and Tourism Strategy with financing from the Lake Champlain Byways Program. The "Gateway Partnership" intends to utilize public and private partnerships to develop unique approaches to economic development and planning, tourism development, community beautification, community pride, arts and cultural development, youth and recreation issues, and industrial development. The

Village recognizes the good works of this group and proposes to develop a comprehensive Economic Development Strategy that takes Gateway Partnership's work to the next level. The following ideas were developed from the LWRP and should be incorporated into this Economic Development Plan.

- a) Market a sports-oriented retail outfitter; develop a market for canoe and kayak rentals complete with lessons and tours of the Champlain Canal, South Bay and Lake Champlain; link this potential business with kayak clubs out of Vermont and market for inclusion of South Bay and the Canal into regional touring plan books and maps and on the Internet.
- b) Promote the Canal area as a "Water Gateway" by placing banners or flagging along the waterfront; create a plan for the water gateway and the three land gateways into the Village of Whitehall; place interpretive signage along the Canal in view of passing boats.
- c) Create an incentive plan to attract businesses to fill the abandoned and underutilized buildings in the community; market the area as an artist colony to bolster reuse of the existing downtown structures.
- d) Develop a map that highlights the museum, historical markers and area landmarks; get other regional maps to highlight this information so that it links up with other exhibits; establish new harbor partnerships with the waterfront redevelopment activities at Waterford and at Schuylerville; work with area museums to exchange cultural exhibits and shared activities; establish a tourist connection with Fort Ticonderoga on Lake Champlain by providing access by boat.
- e) Encourage the Americade motorcycle rally to include Whitehall in their recommended tours.
- f) Locate one or more boats from the 1700's era to dock for the summer and provide tours; develop a working 1776 shipyard as a destination activity for tourists; look for other opportunities to host special boats.
- g) Support ideas that promote the Adirondack and Rutland train network.
- h) Expand upon the present Winterfest activities to develop a long-term winter recreational use plan for the canal.
- i) Promote local business interest in a dinner theater/tour boat.
- j) Identify and provide the necessary support services that are needed for the Blue Heron and other boat operators on the Canal; encourage the business community to respond.
- k) Provide a designated location and promote historical re-enactments as public events.

- l) Establish an overall Canal Waterfront Cultural District identity using an integrated program of signage, landscaping and streetscape design.

Water Resources Management Plan

The Village will provide for the permanent protection of the wetlands around Cooke's Island, improve stormwater runoff and control stream and canal bank erosion, provide for the protection from floods, and protect the community's water supply by developing a Water Resources Management Plan. Such plan should, at a minimum, include the following recommendations:

- a) Facilitate the sale of the wetlands to the Nature Conservancy.
- b) Provide for stormwater infrastructure improvements that separate out stormwater runoff from sanitary wastewater throughout the Village.
- c) Correct the stormwater runoff and bank erosion problem along the south side of Route 4 at Wood Creek.
- d) Develop a watershed management plan for the community's water supply (Pine Lake).
- e) Develop a flood management plan for the waterfront area. This should include policy that directs the release or impounding of water at Lock 12.

Recreational Development Plan

The Village will respond to recreational issues that have come forth as a result of the LWRP planning process by developing a Long-range Recreational Development Plan. The following recommendations represent future ideas to incorporate in this plan:

- a) Advocate a more regular presence of safety patrol on the Champlain Canal; post appropriate signage at boater level so that boaters are aware of the navigation rules in the Canal.
- b) Work with DEC to develop a monitoring and management plan for the control of non-native aquatic vegetation and the general fishery of South Bay
- c) Work with DEC to develop a network of marked hiking and snowmobile trails on the West Mountain.
- d) Promote accessibility and service at existing marinas that will accommodate the larger boats in the Canal system.
- e) Enlarge the planned community indoor recreational center to accommodate a greater variety of activities.

3. Proposed Private Projects

Oil Tanks

This is privately-owned, 1.4 acre site, located at a principal entrance to Skenesborough Park and the Central Business District, is no longer being used for its original purpose and is for sale. Because of its past use as a petroleum storage facility, there are likely significant costs related to the clean-up of the property. The Village, in consultation with the NYS Department of Conservation, will explore potential environmental assessment and remediation opportunities that may be available. Long-term plans for the site include use as a lodging facility or use as a public park. This land is an essential link in terms of extending the Canalway Trail.

Railroad Property

The Village will work with Washington County Local Economic Development Corporation and the Whitehall Chamber of Commerce to market the vacant property belonging to the railroad. It has the best potential as an industrial site since it is located adjacent to the rail line along Route 22. It could also be well utilized as a commercial site such as a mini-mall.

Nature and Arts Center

The Arts and Recreation Commission of Whitehall are proposing Cooke's Island as a Recreation/Arts Center Project. In 1999, the Commission applied for a grant through the Lake Champlain Basin Program for \$4,295 to legally accept this donated property, assess and clean up the property, and begin to develop the property as a nature and historic education center.

Public Launch for Non-Motorized Boats

A dedicated launch site for small boats such as canoes and kayaks should be available at Whitehall Marina just north and west of Lock 12. This area is being improved under other funding sources. A small boat storage rack should also be provided at this site to allow for boaters to secure their property while temporarily pulled up to the site.

SECTION V DESCRIPTION OF LOCAL PROGRAM IMPLEMENTATION

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

The techniques necessary for the implementation of the LWRP are separated into four categories: local laws and regulations, other actions required of both the public and private sectors, local management structure and procedures and, local financial resources.

A. Existing Local Laws and Regulations Necessary to Implement the Village's LWRP

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

1. Village of Whitehall Local Laws

Zoning Regulations

The Village of Whitehall Zoning Regulations were adopted in 1996. Zoning districts include the following classifications: Residential Class A, Residential Class B, Commercial, Light Industrial, Planned Residential Development, Recreational Park, View Shed, and Wet Lands. The current zoning regulations for the downtown business district encompass a wide variety of uses, none of which conflict with uses compatible with waterfront development. It is likely that the regulations, as written, are flexible enough to accommodate the kind of creative redevelopment needed to revitalize in the downtown area.

Maps [7a](#) & [7b](#), "Zoning Map," illustrate the zoning along the Village's major waterfront areas. In general, the existing Zoning Regulations of the Village are a significant tool in the implementation of the LWRP. The LWRP Committee found that the existing zoning districts and associated uses are compatible with the proposed uses and projects listed in Section II of this LWRP. Specific deficiencies in the Zoning Regulations include the lack of design standards for several development elements.

Historic Preservation Local Law

The Village of Whitehall adopted a Historic Preservation Local Law in 1985. The law designates the Historic District boundary and provides guidelines for the review of applications for minor and major alterations, demolition, new construction and

signage in the district. The regulations for historic preservation should be reviewed so that the best business/residential opportunities can be realized without sacrificing individual buildings.

Urban Cultural Park

In 1980, Whitehall was designated an Urban Cultural Park. An Urban Cultural Park is a State-designated area that has special significance in the State's history. An Urban Cultural Park Management Plan was prepared to guide the revitalization of the area while promoting preservation, education, recreation, and economic development.

The thirteen goals in Whitehall's Urban Cultural Park Management Plan pertain to the:

- Preservation of the Village's nineteenth century character;
- Preservation of the Champlain Barge Canal System and bridges;
- Enrichment and upgrading of the park environment;
- Education of park visitors;
- Development of promotional, public relations, and educational programs;
- Provision of passive recreational pursuits;
- Expansion of active recreational facilities;
- Strengthening of the economic base;
- Encouragement of private sector investment;
- Reduction of business operation costs;
- Expansion of the State and local tax base; and
- Encouragement of rehabilitation of vacant/substandard residential space

Many of the Plan's recommendations have been implemented.

The boundaries of the Historic District coincide with those of the Urban Cultural Park. The themes of defense and transportation are exhibited in this area's development patterns and architecture. Development and redevelopment projects in this area, depending on their nature, may be subject to the Village's Historic Preservation Law.

Canal Harbor Center

The New York State Canal Corporation, the entity that owns and operates the Canal undertook a number of improvements in Whitehall which have established the Village as one of seven designated Canal harbors due, in part, to the fact that Whitehall is the gateway to Lake Champlain and Canada. As a designated harbor, Whitehall has been the subject of a concept plan for the Skenesborough Park vicinity based on months of meetings and public participation efforts. The concept plan and associated development program incorporate four basic elements:

- Canal infrastructure, facilities, site and other improvements which provide or enhance boater services and other recreational activities;
- Canalway Trail improvements and linkages;
- Economic development and community revitalization elements, and private-sector participation; and
- Public open space, visitor information and interpretive components.

Champlain Canal Byway

A four-year corridor management plan for the Champlain Canal Byway was submitted to New York State Department of Transportation's Scenic Byway Advisory Board for official designation of the Champlain Canal Byway. The Champlain Canal Byway is a 64-mile stretch of land that extends from Waterford to Whitehall along Route 4 and the Champlain Canal/Hudson River from Waterford to Whitehall, Routes 22 and 9 and Lake Champlain from Whitehall to Rouses Point. Future plans for this corridor include adding the Lake George region and the Richelieu Valley in Canada to Quebec. Inclusion of these two regions will integrate the shared history and resources and create a byway with an international appeal.

This corridor represents a corridor of change, revolution, movement and travel and transportation through the ages. The Corridor links two and one-half centuries of momentous events, notable people, and landmarks that shaped our nations freedoms and spirits. The corridor has served as a route for migratory birds, Native Americans, explorers, settlers, commerce and development and, now, for recreation. Locks to Lakes Passage serves as a shared waterway to move people from cities in the south through the revitalizing Canal and Lake Region. The corridor provides the visitor with a multi-modal experience along interpreted theme routes that deliver the story of the "Four Ages" of change. Multiple transportation linkages along the corridor include highways, rail, waterways, bikes, and pedestrian routes.

The Champlain Canal Byway program will assist Whitehall in finding a regional identity in terms of tourism and in focusing on the most important elements of their economic development program for the future. The Corridor Management Plan is already providing significant guidance regarding the development of a regional economic development strategy.

2. Common State Agency Regulations

Flood Damage Prevention Law

This law requires permits for construction within flood hazard areas identified by the Federal Emergency Management Agency. With such a law in place, property owners are eligible for purchase of subsidized flood damage insurance that would not otherwise be available. Projects within the flood hazard area are reviewed to ensure that hazards from flooding are minimized through appropriate standards concerning construction techniques and materials, siting, and protection and maintenance of drainage areas. The law also requires subdivision proposals to be consistent with the need to minimize flood damage. The Village Code Enforcement Officer administers this law. Appeals may be made to the Village Planning Board.

New York State Department of Environmental Conservation (DEC)

The DEC Division of Environmental Permits manages the State Environmental Quality Review Act (SEQRA). SEQRA is a law that establishes a process that requires the consideration of environmental factors early in the planning stages of actions that are directly undertaken, funded or approved by local, regional and state agencies. The

Village considers all applicable requirements under (SEQRA) during review of all qualifying projects. SEQRA should be incorporated into the review procedures of the Village's Land Use Code.

DEC also issues permits for any discharge into waters, oil or gas drilling, mining, transportation of solid wastes, operation of new solid waste facilities, the storage, transport and disposal of hazardous waste. DEC also authorizes permits for air pollution, the operation of marinas and the construction, dredging or dumping in a freshwater wetland. Implementation of the following projects in the LWRP will likely require Freshwater Wetlands and/or Protection of Waters permits: the Canalway Trail extension; Woodcreek Pedestrian Bridge and Trail; Cooke's Island Pedestrian Bridge and Trail; Dredging at the southwest side of Cooke's Island; bank and erosion control at Wood Creek; new boat launch and fishing access sites; and marinal pump-out facility in the Champlain Canal.

Army Corps of Engineers (ACOE)

All projects proposed along or in the Lake Champlain Canal must be submitted to the U.S.Army Corps of Engineers.

B. Proposed Local Laws and Regulations

Site Plan Review Standards should be added which address waterfront development concerns and encourage new businesses that are consistent with LWRP. These recommendations are found in Section IV under (D) Development Considerations.

Site plan review and design standards that address shoreline development concerns and encourages new businesses that are consistent with the LWRP should be added to the Zoning Ordinance. Within the previous section (V), the various local laws and regulations of the Village were examined to determine how well they implement the policies and proposals of the Village's LWRP. The Village needs to develop an improved set of design standards to address design issues, parking, landscaping and utilities. The LWRP is providing substantial guidance for the preparation of design standards in Section III, Policies (2.2). Design standards should be developed to address the following criteria:

- Overall Design
- Relationship to South Bay and the Champlain Canal
- Architectural Design Standards
- Landscaping, Screening and Buffering
- Lighting
- Signage
- Waterfront Transportation
- Public Access to Waterfront
- Off-Street Parking
- On-Site Utilities and Services
- Building Height and Setback Requirements
- Natural Resource Protection

The Zoning Regulations would also benefit from a review to improve definitions, remove inconsistencies, and take into account the recent amendments to the State planning and zoning statutes that were initiated by the New York State Legislative Commission on Rural Resources.

LWRP Consistency Law

“A Local Law Establishing Consistency Requirements and Review Procedures for Village Actions Involving the Local Waterfront Area” has been adopted to ensure implementation of the Local Waterfront Revitalization Program. This local law requires of each board, department, officer or other body of the city, that its actions to directly undertake or to permit, fund or otherwise approve any project, use or activity within the waterfront be consistent to the maximum extent practicable with the applicable State and local policies established in the city’s LWRP.

To this end, the local law establishes procedures for:

- a. Initial review of proposed actions in a manner compatible with SEQRA requirements;
- b. Providing advice and assistance to applicants (if involved) and/or the boards, departments, officers or other bodies of the Village involved, regarding forms, procedures, etc., and;
- c. LWRP compliance and SEQRA review.

To facilitate the consistency review, a Waterfront Program Consistency Assessment Form has been adopted as part of the consistency law. See Appendix B, Waterfront Program Consistency Assessment Form.

Thus, the amended zoning and site plan review regulations together with the local consistency law provide a comprehensive means of implementing all applicable coastal policies by requiring all proposed actions within the waterfront area to be consistent with the policies and purposes of the LWRP.

Floodplain Regulation

A local ordinance to prevent flood damage in the flood zones in Whitehall was adopted in 1980. The general purpose of this local ordinance was to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street and bridges located in areas of special flood hazard;

- f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;
- g. To ensure that potential buyers are notified the property is in an area of special flood hazard; and
- h. To ensure that those who occupy the areas of special flood hazard assume responsibility for their activities.

The local ordinance incorporated the Flood Insurance Rate Maps promulgated by the Federal Insurance Administration and satisfied all of the basic floodplain management guidelines established by the Federal Emergency Management Agency (FEMA). In particular, these regulations provided for the administration of Development Permits (by the Director of Buildings and Assessment) for development in all special flood hazard areas, established general and specific construction standards for such development and included provisions for hearing and deciding upon appeals and variances.

This local ordinance enforces the Local Waterfront Revitalization Program by establishing development controls to operate in the flood hazard areas noted in Section II - Inventory and Analysis. Such controls implement floodplain management aspects of Policies 11, 14 and 17 (see Section Three). Erosion provisions of these Policies are not covered by these floodplain regulations.

C. Other Actions Required of Both Public and Private Sectors

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

Local Government Actions

Officials and staff will need to undertake the following actions and activities in order to implement various elements of the LWRP.

Grant Applications

To make the projects described in Section IV a reality, several State and Federal grant applications will have to be prepared by the Village or its consultant. See the "Financial Resources" discussion below for details on the financing of each proposed project.

Coordination

A significant level of coordination with various Federal, State and local government agencies, community organizations and the private sector will be required to carry out the LWRP in an effective manner. Such coordination involves the following:

- a. Consulting with agency representatives regarding grants, technical assistance, regulatory and permit considerations and general policies. (Involved agencies

and consultation activities are discussed in greater detail in Section Six and Seven, respectively);

- b. Soliciting the cooperation and involvement of service-oriented community groups in promotional activities for waterfront revitalization;
- c. Generating active participation of waterfront business owners to optimize the alignment of public and private revitalization, development and tourism interests.

The LWRP's emphasis on consultation (described in Section Seven) and public/private cooperation illustrates the need for effective coordination. By stressing coordination as a public implementation action, its importance is recognized as essential to the implementation process.

Secure Easements

A property survey and easements, or negotiated arrangements, will need to be secured for properties bordering the Champlain Canal where the trail is proposed to pass through.

Site Remediation

A privately-owned hazardous waste site exists within 500 feet of the Champlain Canal. The Poultney Street Inactive Hazardous Waste Disposal Site (ID#558019) requires remediation including excavation and removal of contaminated sub-surface soils, groundwater monitoring, and institutional controls before any new development can occur on the site.

D. Local Management Structure and Procedures for Reviewing Proposed Projects

1. Roles of Involved Parties

The Mayor and the Village Board shall be, respectively, the local official and the lead agency responsible for this waterfront program. The Village shares a code enforcement officer with the Town of Whitehall. All proposals are forwarded to Washington County Planner for County Review. More specifically, the roles of these and other parties are as follows:

Mayor

Provide overall program supervision and management.

Village Board Members

Execute program responsibilities, in coordination with Mayor, for such items as coordination with volunteer and private organizations, and local government cooperation.

Village Clerk

Handle correspondence, communications and record keeping for city government actions pertaining to the waterfront.

Village Comptroller

Serve as chief fiscal officer in providing fiscal management for city government actions pertaining to the waterfront.

Director of Community Development

Work with Mayor, village departments and boards, and the public in providing direction in the executive of program policies, uses and projects. Execute community development and housing rehabilitation programs pertaining to the waterfront.

Planning Board

Provide advice and assistance to the Village Board and the public in prioritizing program projects and activities; provide input to the Village Board on the compatibility of waterfront activities with program policies and objectives; review and approve site plans for new development within the waterfront; participate in consistency reviews in conjunction with lead agency reviews.

Zoning Board of Appeals

Hear and render decisions on variances, special permits, and appeals from any requirement or determination made by the Code Enforcement Officer pertaining to the waterfront.

Village Consulting Engineer

Provide technical coordination and assistance as needed on program uses and projects.

Code Enforcement Officer

Provide initial review of proposed coastal area development proposals to determine compliance with the city zoning ordinance; work with City Planning Board and lead agency in expediting all necessary reviews; issue permits; and enforce zoning ordinance.

Director of Public Works

Manage, maintain and operate all public works and physical properties pertaining to the waterfront.

Recreation Commission

Provide assistance to the Mayor and Village Board in planning and executing recreational programs and development of recreational facilities pertaining to the waterfront.

Whitehall Chamber of Commerce

Coordinate merchant and private sector involvement in the LWRP, assist in soliciting donations for smaller waterfront projects, and promote public and private interest and support for revitalization activities.

2. Compliance Procedures

In general, the Village'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 reviews required by the State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR, Park 617). The basic premise of compliance is that legally, the Village should be no less consistent with its LWRP than State and Federal agencies are already required to be by their respective laws.

The amendments to the zoning ordinance for site plan review will provide consistency with the LWRP for local approvals of private actions. Each action by the city to fund, undertake, permit or otherwise approve a project or activity in its waterfront will be processed as follows:

Initial Review

Following regulations listed in 6 NYCRR, Part 617.5, the Code Enforcement Officer will review each project or activity in consultation with the applicant and/or other involved parties. This review will identify:

- All village actions required (permits, funding or approvals) and the board, department, officer or other body responsible for the actions;
- Whether the actions are Type I or Unlisted Actions and therefore subject to the provisions of SEQRA;
- Whether the actions might conflict with the LWRP; and
- Any other agencies that may be involved.

Advice and Assistance

The Code Enforcement Officer will advise the applicant and/or other involved parties regarding the initial review, required forms and further procedures to be followed and will provide assistance in the preparation of:

- Village application forms (if applicable);
- Environmental Assessment Forms (EAF's) for all Type I and Unlisted Actions; and
- Coastal Assessment Forms (CAF's) for actions subject to SEQR involving permits, funding or approvals from State or Federal agencies.

2. SEQR and LWRP Compliance Review

Upon receipt of completed EAF's (and CAF's, if applicable) and, if appropriate, village application forms, the Code Enforcement Officer will immediately initiate procedures pertaining to lead agency designation and determination of significance in accordance with 6 NYCRR Parts 617.6 and 617.7. In the majority of cases, where the impact of the project is primarily local, the Village Board will serve as lead agency. At the same time, if any actions are determined in the initial review to involve potential conflicts with the policies and proposes of the LWRP, they will be referred to the Planning Board for compliance review as follows:

- The Planning Board will, within thirty (30) days from the date of referral, prepare a written report to the lead agency describing specific conflicts involved, if any, and recommend approval, approval with modifications (to mitigate the conflicts) or denial (to avoid the conflicts).

- In making such recommendations, the Planning Board will consult, as needed with the applicant, the lead agency, and/or other involved agencies.
- If the action would be subject to site plan approval by the Planning Board, then that board shall integrate the compliance review with the site plan review procedures to the maximum extent possible, provided that the provisions of SEQRA have been satisfied before taking action on such site plans.
- All other boards, departments, officers or other bodies shall include the Planning Board's LWRP compliance review recommendations as well as SEQR determinations in rendering decisions, whether taking actions as lead agencies or as involved agencies.

3. Federal and State Consistency

The process for local review of State and Federal actions for consistency with the LWRP will generally follow the process for compliance review, except that in all cases the City Council will make the final decision in judging the consistency of such actions. Specifically, the following procedures will be followed.

Initial Review

The Director of Buildings and Assessment reviews the proposed actions in comparison to the LWRP. Based on such review, the Director of Buildings and Assessment will:

- Advise the City Council as to whether the proposed actions are consistent, inconsistent or of uncertain consistency.
- Refer actions that are or may be inconsistent to the Planning Board for its review and comment.

Consistency Review

Within thirty (30) days of such referrals, the Planning Board will prepare a written report for the City Council describing specific reasons for inconsistency, if any.

Consistency Advisement

The City Council, with due consideration given to the Planning Board's written report, will advise the Secretary of State and the particular State or Federal agency involved of any actions it deems inconsistent with the LWRP and the reasons therefore.

Specific guidelines on how consistency reviews will be coordinated for State and Federal agency actions are listed in detail in Appendix C, "Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are in Effect," and Appendix D, "Procedural Guidelines for Coordinating NYS Department of State and Local Waterfront Revitalization Program Consistency Review of Federal Agency Actions."

E. Financial Resources

There are three main funding implications associated with implementation of the Village's LWRP. These are the administrative costs involved in the continued local

management of the LWRP, the capital and revenue costs involved in project implementation, and the costs related to maintenance and upkeep of projects.

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

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

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

A key element in the building of successful implementation partnerships is the availability of a local match from the Village. This match is essential in leveraging public or private sector money. The local match generally can take a number of forms, including funding by the Village, the provision of materials or Village public works labor, and the use of volunteers and staff time to provide a monetary equivalent. It is also advantageous to try to link LWRP project implementation to other capital improvement work that is going on within the Village, such as a development proposal or public water supply project, stretching the benefits of limited public funds and achieving multiple objectives. In terms of providing a monetary match, the Village Board should consider setting up a budget item that would dedicate funds for the implementation of LWRP projects. This item could be used to fund small-scale projects or parts of projects.

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

DOS Waterfront Program

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

The New York State Clean Water/Clean Air Bond

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

The New York State Environmental Protection Fund

Environmental Conservation Law Article 54. This fund provides assistance for park, recreation and historic preservation projects.

The Federal "Superfund"

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

Federal Environmental Response and Spill Compensation Fund

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

New York State Environmental Facilities Corporation ("EFC")

There are several State Revolving Fund ("SRF") programs which may be available to Ogdensburg or interested private sector investors for development of the contaminated properties.

Clean Water State Revolving Fund for Water Pollution Control

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

Industrial Finance Program

Provides low interest loans to private businesses for environmental improvement capital projects, including brownfield site remediation and solid waste management.

The State Revolving Fund Program

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

Federal Community Development Block Grant (CDBG)

This program provides direct funding from the Department of Housing and Urban Development (HUD) for activities that support the reuse of industrial sites. CDBG funds are used for grants, loans, loan guarantees and technical assistance activities. Since 2002, New York State has administered the project.

Section 108 Federal Loan Guarantees

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

New York State and U.S. Departments of Transportation

Grants and loans may be available pursuant to the DOT Transportation Enhancement Program/Intermodal Surface Transportation Efficiency Act (ISTEA). (Industrial Access Program Chap 54 of Laws of 1985 - appropriations bill.)

New York State Empire State Development Corporation (EDC)

Program grants and loans are available as incentives to attract commercial development and may be applicable to Brownfield development.

U.S. Department of Commerce Economic Development Administration

Grants are available to assist economic development projects.

New York State Nonpoint Source Implementation Grants Program

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

Private Foundation Grants

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

NYS Council on Arts

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

Adirondack Economic Development Corporation

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

Friends of the North Country

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

Small Business Development Center

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

AmeriCorps Program

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

Lake Champlain-Lake George Regional Planning Board

Provides advice and low-interest loans for qualifying business start-ups and existing businesses, including the preparation of business plans and associated financial documents. This center is partnership program between the U.S.EDA.

SECTION VI STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the Federal Coastal Zone Management Act, certain State and Federal 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 makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions. While consistency requirements primarily help prevent detrimental actions from occurring and help ensure that future options are not foreclosed needlessly, active participation on the part of State and Federal 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 and Federal 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 and Coastal Resources 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. Similarly, Federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementation regulations. The lists of State and Federal 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 and Federal 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 and Federal agency actions which are necessary to further implement the LWRP. It is recognized that a State and Federal 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 and Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Sections IV and V, which also discuss State and Federal assistance needed to implement the LWRP.

A. State and Federal Actions and Programs Which Should Be Undertaken in a Manner Consistent with the LWRP

ADIRONDACK PARK AGENCY

- 1.00 Regulation of land use and development on private lands pursuant to the Adirondack Park Land Use and Development Plan.
- 2.00 Administration of the NYS Wild, Scenic and Recreational Rivers System Act within the Adirondack Park.
- 3.00 Administration of the NYS Freshwater Wetlands Act within the Adirondack Park.
- 4.00 Approval of local government land use plans within the Adirondack Park.

OFFICE FOR THE AGING

- 1.0 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

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

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)
 - 1.08 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)
 - 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

OFFICE OF CHILDREN AND FAMILY 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 CORRECTIONAL SERVICES

- 1.0 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.

EMPIRE STATE DEVELOPMENT/EMPIRE STATE DEVELOPMENT CORPORATION

- 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.

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

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.0 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
 - 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
- 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
- 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 (Diversions 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 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 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

- 1.0 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

- 1.0 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land, grants of easement and issuance of licenses for land underwater, including for residential docks over 5,000 square feet and all commercial docks, 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.
- 4.00 Administration of Article 5, Section 233, sub. 5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.
- 6.00 Section 334 of the State Real Estate Law regarding subdivision of waterfront properties on navigable waters to include the location of riparian lines.

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 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

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 2.00 Affordable Housing Corporation

JOB DEVELOPMENT AUTHORITY

- 1.0 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.0 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

- 1.0 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.0 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commission)

- 1.00 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.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

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

STATE UNIVERSITY CONSTRUCTION FUND

- 1.0 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.

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
 - (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 branch lines 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
- 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 Assistance under the Public Works and Economic Development Act for street improvements.

B. STATE ACTIONS AND PROGRAMS NECESSARY TO FURTHER THE LWRP.

OFFICE OF GENERAL SERVICES

Prior to any development occurring in the water or on the immediate waterfront, OGS should be consulted for a determination of the State's interest in underwater or formerly underwater lands and for authorization to use and occupy these lands.

DEPARTMENT OF STATE

Provision of funding for the implementation of an approved LWRP.

SECTION VII CONSULTATION WITH OTHER AGENCIES

Existing Authorities

A number of public entities at the local, county, State and Federal levels have roles and authorities that involve or impact the Canal. Private entities are also concerned with the Canal. This section describes the public and private entities with authority or influence concerning the water or waterfront areas of the defined Water Revitalization Area.

Local Authorities

The principal State statutes influencing the Village's jurisdiction are the Municipal Home Rule Law, the Navigation Law, and the Waterfront Revitalization and Water Revitalization Resources Act.

The Municipal Home Rule Law provides basic authorizations, requirements, and procedures to adopt local laws that are consistent with both the State Constitution and general laws enacted by the State Legislature. Local law power is restricted where the proposed local law action has been pre-empted by the State. Section 46-a of the State Navigation Law provides the Village with authority to regulate certain activities on any waters within or bounding the Village to a distance of 1,500 feet from the shore. The Waterfront Revitalization and Water Revitalization Resources Act (Article 42 of the New York Executive Law) authorizes municipalities to prepare Local Waterfront Revitalization Programs (LWRPs) to guide coastal area land use and resource conservation in a manner consistent with the State's coastal management policies. Article 42 of the Executive Law was amended in 1992 to authorize local preparation and adoption of comprehensive harbor management plans to address "problems of conflict, congestion and competition for space" pertaining to the use of harbors, surface waters and underwater lands. The 1992 amendments also allow municipalities implementing harbor management plans to regulate certain activities on any waters within or bounding their jurisdictions to a distance of 1,500 feet from the shore.

Village Board

The Village Board is responsible for the general management and control of Village finances. The Village Board has the power to create and abolish offices, boards, agencies, and commissions, and to delegate powers to these units of the local government. The Board also appoints the members of the local boards, agencies, and commissions. The Village Board established the Whitehall LWRP Committee.

The Village Board may, after public hearing, also enact, amend, and repeal local laws, rules and regulations. As authorized by State statute, these laws may address navigation and other water-related activities in Whitehall Harbor as well as waterfront conditions that can have an important impact on the Harbor. All locally adopted laws must be filed with the Secretary of State. Any local law pertaining to navigation or boating safety must be approved by the New York State Office of Parks, Recreation and

Historic Preservation (acting as the State's boating safety agency) in accordance with the Navigation Law.

As authorized by Article 42 of the New York State Executive Law, the Village may adopt local laws, rules and regulations in the Harbor to:

- Regulate and restrict the speed and operation of vessels within 1,500 feet from the shore;
- Regulate and restrict the anchoring or mooring of vessels within 1,500 feet from the shore;
- Regulate and restrict the anchoring or mooring of vessels used or occupied as living or sleeping quarters;
- Restrict and regulate garbage removal from vessels; and
- Designate and regulate the use of public anchorage areas.

The Navigation Law does not grant to local governments the authority to regulate docks, piers, and other in-water structures below the mean high water (mhw) line. This authority (supported by court decisions and opinions of the Attorney General) is reserved for the State. However, local governments may request special legislative authorization to regulate boathouses and docks (generally interpreted to include piers) under Section 46-a of the Navigation Law.

The 1992 amendments to Article 42 of the Executive Law also authorize municipalities preparing harbor management plans to "adopt, amend and enforce local laws and ordinances to regulate the construction, size and location of wharves, docks, moorings, piers, jetties, platforms, breakwaters or other structures..." in or above the water, as well as the use of surface waters and underwater lands, to a distance of 1,500 feet from the shore. In other words, the Village now has the opportunity to regulate in-water work and structures without applying to the State Legislature, as described above, for authorization to do so.

Village Planning Board

The Village of Whitehall Planning Board consists of five members appointed by the Village Board. The Planning Board has jurisdiction over subdivisions in the Village and is involved with any amendments to the Comprehensive Plan.

Village Zoning Board of Appeals

The Zoning Board of Appeals is a five member board appointed by the Village Board. It hears appeals from decisions of the Zoning Enforcement Officer and, when, there is question, interprets the zoning ordinance. Some of its decisions may impact properties with frontage on the Harbor or Canal.

Whitehall Historic Preservation Commission

This Commission was originally formed in 1985 to administer the Village's Historic Preservation Law (Local Law #2, 1985). This law's purpose is to:

Promote the economic and general welfare of the people of the Village of Whitehall and of the public generally by preserving historic and architecturally worthy structures, sites, districts and neighborhoods which serve as visible reminders of the role played by the Village of Whitehall...(page 1, Historic Preservation Law)

Historic Preservation Commission members review projects within locally designated historic districts and regarding historic landmarks. The area encompassed by the Urban Cultural Park is a locally designated historic district. In the early-mid 1990s, the Village combined the Historic Preservation Commission with the Planning Board.

Whitehall Volunteer Fire Company

Located at 161 Main Street, the Whitehall Volunteer Fire Company is a pumper/tanker company that responds to emergencies in the more rural areas. It also responds to mutual aid calls. Equipment that pertains to water-related emergencies include ice water rescue equipment (including six wet suits, ropes, and life vests) and one rescue boat with motor. Members have been trained in ice and water rescue and respond when called. Whitehall has a 911 system. Calls are dispatched from the Office of Emergency Services in Fort Edward.

Skenesborough Volunteer Fire Company

The Skenesborough Volunteer Fire Company is on Skenesborough Drive. It is a ladder company that responds to emergencies in the more developed areas. It is also a first responders unit; this unit provides medical assistance until transport arrives. Like the Whitehall Volunteer Fire Company, it responds to mutual aid calls. Water rescue equipment includes a rescue boat, dragging equipment and a portable water pump. The Office of Emergency Services in Fort Edward is the center for 911. Calls are dispatched from this location.

Skenesborough Emergency Squad

The Skenesborough Emergency Squad is on Skenesborough Drive. It responds to calls in the Village and Town of Whitehall, the Town of Dresden, and the Hamlet of Huletts Landing. It also responds to calls for mutual aid. Calls are dispatched from the Office of Emergency Services in Fort Edward. It is available to assist the local fire companies with water-related emergencies.

Whitehall Police Department

The Whitehall Police Department is at 8 Montcalm Avenue. There are five full-time officers and six part-time officers. Most calls are dispatched from the Office of Emergency Services in Fort Edward. Some calls do come in at the Whitehall station, though, this station is not staffed full-time. In cases of water-related emergencies, the police department works in conjunction with the Washington County Sheriff's boat team and/or dive team. The United States Coast Guard assists when available.

Historical Society of Whitehall

This entity strives to enhance public knowledge and appreciation of the Village's historic resources. As noted earlier in this chapter, the Water Revitalization Area contains numerous historic sites and structures.

Whitehall Local Waterfront Revitalization Committee

The Village Board established the Whitehall Local Waterfront Revitalization Committee in 1999. The Committee was responsible for overseeing preparation of the Village of Whitehall Local Waterfront Revitalization Program (LWRP), and worked to obtain local consensus and support for the LWRP. The Committee consists of six members representing the Village Board, the Planning Board, the Historical Society, the Washington County Planning Department, and area businesses. The Committee will be dissolved upon completion of the LWRP .

County Departments and Agencies

Washington County Planning Department

The primary functions of the Washington County Planning Department are to plan for countywide development and to provide technical assistance to local governments. For example, the Planning Office offers assistance, upon request, to local governments formulating land use controls such as zoning regulations, subdivision regulations, and special ordinances.

Washington County Planning Board

Under Article 12-B of the State's General Municipal Law (Sections 239-1 and 239-m), the Planning Board has statutory authority to review certain land subdivision and zoning activities that might be undertaken in a municipality. Each municipal body with jurisdiction to adopt or amend zoning regulations, approve site plans, issue special permits, or grant variances, must, before taking some of these actions (such as those within 500 feet of the municipal boundary) refer the proposed action to the County Planning Board for its recommendation.

Lake Champlain-Lake George Regional Planning Board

The Lake Champlain-Lake George Regional Planning Board (RPB) is one of nine regional planning boards in the State. There are 30 voting members representing five counties - Clinton, Essex, Hamilton, Warren and Washington. Its programs focus on supporting legal, economic and community development projects. The Board (1) provides access to information about domestic assistance programs; (2) prepares grant and loan applications on behalf of local municipalities; (3) maintains a census data resource center; (4) operates four revolving loans funds providing direct loans to new and expanding businesses; (5) works with agencies on regional and local transportation improvement projects; (6) offers technical assistance support services to municipal governments; and (7) manages regional development projects. The Board is an advisory body only. Its office is in Lake George.

Washington County Sheriff's Department

The closest sheriff's station is in Fort Edward, approximately 20 minutes from Whitehall. It assists the Village Police Department if needed and if available. The County boat team patrols all county waterways. It patrols in Whitehall several times per year. It responds to calls and assists in water-related emergencies. It enforces the New York State Navigation Law and any local laws pertaining to boating activity in Washington County. The Sheriff's Department shares jurisdictional responsibility for marine law enforcement with the local, State and Federal entities.

Washington County Soil and Water Conservation District

The Washington County Soil and Water Conservation District (SWCD) is an authorized agency of county government and is considered a subdivision of State government. The primary objective of the SWCD is to protect natural resources, specifically soil and water resources and agricultural resources dependent on soil and water.

Washington County Local Development Corporation

This non-profit corporation is the economic development arm of the county. Its office is in the county office building in Fort Edward. It is involved in promoting and marketing the county for economic development. It administers three revolving loan funds, a micro-enterprise program, and a matching program. The micro-enterprise program assists small businesses throughout the county. The matching program strives to match available properties with tenants.

The Economic Development Corporation (EDC) is very active in Whitehall. Numerous small businesses have received assistance. Currently, the EDC is finalizing a loan with the purchaser of a local industry.

State Agencies

Department of State

The Department of State (DOS), through its Division of Coastal Resources and Waterfront Revitalization, administers the New York Coastal Management Program (CMP) and coordinates activities essential to the Program's implementation. Authority for the New York CMP was established by the State Waterfront Revitalization and Coastal Resources Act of 1981 (Article 42 of the New York Executive Law) which enables the State to manage its coastal resources pursuant to the provisions of the Federal Coastal Zone Management Act.

The CMP establishes 13 management policies to carry out the legislative intent that a balance be established between economic development and coastal resource protection in the State's coastal area. Under the CMP, each coastal area municipality may prepare a Local Water Revitalization Program (LWRP), based on local needs and objectives, to promote beneficial waterfront development and protect environmental resources.

Major responsibilities and interests of the DOS regarding Whitehall Harbor include review of proposed development activities for consistency with the CMP and assistance to the Village for preparation of the LWRP. These responsibilities and interests are as follows:

- **Protection of Coastal Resources through Consistency Review:** All major actions proposed in the Coastal Area of New York State by Federal agencies or by entities requiring Federal permits (e.g., Army Corps of Engineers) must be consistent with the management policies established by the New York Coastal Management Program. The DOS evaluates the consistency of Federal activities with the policies set forth in the CMP. If DOS deems a proposed action inconsistent, a permit cannot be issued.

In addition to Federal activities, State agency activities shall also be consistent with the Coastal Management Program. Each State agency that proposes to permit, fund or directly undertake an action in the Water Revitalization Area must determine the consistency of its action with the policies and purposes of the CMP.

Following final approval of the Whitehall LWRP, all major Federal, State, and local actions affecting the Water Revitalization Area of Whitehall, including Whitehall Harbor, must be judged for consistency with the Whitehall LWRP.

- **Significant Coastal Fish and Wildlife Habitat Area and Scenic Area Designations:** The DOS is responsible for assuring the protection of coastal fish and wildlife habitats and scenic areas of Statewide significance. Once these types of areas are designated, the coastal management consistency requirements can be used to protect the fish, wildlife, and scenic resources of concern.

Significant Coastal Fish and Wildlife Habitats may be designated by the State if the habitat: (a) is essential to the survival of a large portion of a particular fish or wildlife population; (b) supports populations of species that are endangered, threatened or of special concern; (c) supports populations having significant commercial, recreational or educational value; or (d) exemplifies a habitat type that is not commonly found in the State or in a coastal region.

The significance of certain habitats increases in proportion to the extent they could not be replaced if destroyed.

In addition to the Significant Habitat Program, the DOS administers a program to identify, evaluate and recommend areas for designation as Scenic Areas of Statewide Significance.

- **Local Waterfront Revitalization Programs:** The Waterfront Revitalization and Coastal Resources Act of 1981 provides the authority for local governments to prepare and implement Local Waterfront Revitalization Programs (LWRPs). The DOS provides financial and technical support for the preparation of these programs, and must review and approve the programs for consistency with the State's Coastal Management Policies. LWRPs are intended to promote beneficial development enhanced by or dependent on the communities' waterfront resources, and to balance this development with the protection of important coastal resources. Whereas the policies contained in the State's Coastal Program address resource protection and water and waterfront use

from a general perspective, the LWRPs can add specificity to these policies, and provide a local basis for addressing important coastal management concerns.

Department of Environmental Conservation

The Department of Environmental Conservation (DEC) has the primary responsibility for protecting natural resources in the coastal area of New York State. The DEC exercises this responsibility through various permitting, review and management programs. For example, the DEC reviews proposed development activities with the potential for significant environmental impact in accordance with the requirements of the State Environmental Quality Review Act (SEQRA), the requirements of the Freshwater Wetlands Act, the Stream Protection Act, and the Water Pollution Control Act. The DEC also oversees several regulatory programs including the Clean Water/Clean Air Bond Act and the Coastal Erosion Hazard Areas Act.

The DEC's central office in Albany establishes Statewide policies and regulations and provides technical assistance to regional DEC offices. DEC Region 5, headquartered in Ray Brook, has jurisdiction in Whitehall.

- The State Environmental Quality Review Act (SEQRA): SEQRA States that no agency involved in an action may undertake, fund or approve the action until it has complied with the provisions of SEQRA. Activities that trigger the SEQRA process are specified in the Act. Under SEQRA, local governments and State agencies can designate "critical environmental areas" within which all development proposals automatically receive special review under the Act.
- Freshwater Wetlands Act (Article 24 of the Environmental Conservation Law): The State's Freshwater Wetlands Act authorizes regulation of the use and development of the State's freshwater wetlands. Under this Act, any activity that substantially impairs any of the several functions and benefits of freshwater wetlands (as specified in the law) are subject to regulation. DEC regulations set forth a system by which wetlands are mapped and classified according to the various functions and benefits provided. Four wetland classifications are established depending on the importance of the wetland cover types. Class I wetlands are of the highest value. There are approximately 180 acres of Class I wetlands in Whitehall's Water Revitalization Area.
- Protection of Water Law (Article 15, Title 5 of the Environmental Conservation Law): Under this Act, a permit is required from the DEC for: (a) altering the course, channel, or bed of a stream; (b) erecting a dam or dock on the waters of the State; and (c) dredging or filling in the navigable waters of the State or in adjacent marshes or wetlands.

The permitting program established by this Act is the State counterpart of the Federal Section 10 and Section 404 permitting programs carried out by the U.S. Army Corps of Engineers (see the later section on Federal Agencies). The section of the Stream Protection Act requiring a DEC permit for a dam across a stream or watercourse or for a permanent dock is the State counterpart to the Section 10 program. The section of the Act requiring a permit for excavating or placing fill in the navigable waters of the State or in adjacent marshes and wetlands is a counterpart to the Section 404 program.

“Navigable waters of the State” is defined in the State Navigation Law to include all lakes, rivers, streams, and waters within the boundaries of the State that are not privately owned, that are navigable in fact, or upon which vessels can operate.

- Water Pollution Control Act (Article 17 of the Environmental Conservation Law): In accordance with this Act and pursuant to the Federal Clean Water Act, New York has classified its coastal waters, and its rivers, streams, lakes, and ponds according to considerations of best usage, and has adopted water quality standards for each class of waters. The classifications are used by DEC in issuing permits to industrial and commercial uses for effluent discharge into surface waters and range from AA (the highest classification) to D (the lowest).

Under the State Pollution Discharge Elimination System (SPDES), the DEC regulates all industrial, commercial and municipal discharges as well as discharges from residential subdivisions of five or more lots into the State’s surface and ground waters. The Village’s sewage treatment plant operates under the conditions established in a SPDES permit issued by the DEC.

- Clean Water/Clean Air Bond Act: This 1996 bond act is referred to as the centerpiece of New York’s environmental program. It provides funding for projects to protect and restore the State’s environment. Under the Bond Act, there are five types of projects that are eligible for funding: clean water, safe drinking water, solid waste, municipal environmental restoration, and air quality.

- Coastal Erosion Hazard Areas Act (Article 34 of the Environmental Conservation Law): This Act applies throughout the coastal area of New York State, including the Hudson River, and provides for local, county, or State regulation of certain activities and development within mapped erosion hazard areas. There are no designated Coastal Erosion Hazard Areas in Whitehall.

Office of Parks, Recreation and Historic Preservation

The main responsibility of the Office of Parks, Recreation and Historic Preservation (OPRHP) is to operate and maintain a statewide system of parks and historic sites that meets the recreational needs of the people of the State. The OPRHP is mandated to protect and conserve historic resources, including archeological resources. The agency is responsible for marine and recreational vehicles programs and facilities, and for administration of the State’s Navigation Law. The OPRHP’s Bureau of Marine and Recreational Vehicles has general responsibility for boating safety in New York State and provides funding and training for marine law enforcement as well as boating education programs. Section 79-b of the Navigation Law provides for State financial assistance to a county, city, town, or village for authorized expenditures (e.g., vessel, personnel, and training costs) for enforcement of the Navigation Law.

The OPRHP conducts a Marine Law Enforcement School each year.

Adirondack Glens Falls Transportation Council

The Adirondack Glens Falls Transportation Council (AGFTC) is New York State Department of Transportation Metropolitan Planning Organization for a region including Warren and Washington Counties and the northern part of Saratoga County. Its mandate entails the development of five year transportation plans for the region.

Office of General Services

Grants of underwater lands are now issued only for lands that have been filled for a long period of time. Easements and leases are more commonly issued. Most of the leases and easements now being issued are for a maximum of ten years. Municipalities and utility companies, however, may be issued leases in perpetuity. The fee for leases and easements is worked out by a formula that takes into consideration fair market value, commercial revenue, and other factors.

The application procedure for an easement or lease from the State is initiated after the necessary Army Corps of Engineers (ACOE) and DEC permits are obtained, along with certification of consistency with the State of New York's Coastal Management Program. As part of the application procedure, the applicant is required to serve adjoining owners and the municipality with notice of intention to secure a lease or easement. Adjacent owners and the municipality then have over 20 days to file any objections. If a project infringes on the rights of adjacent property owners, an easement or lease may still be granted if the applicant obtains an assignment of consent from the affected owners.

In 1992, the Public Lands Law was amended to enable the Office of General Services (OGS), in conjunction with the DEC and DOS, to establish regulations governing the use of State lands under water, as well as appropriate terms and conditions for conveyances (i.e., grants, easements and leases) of the State's interest to those who would place certain structures and conduct other work on State-owned underwater land. Those using State underwater lands for structures above a certain threshold must apply for a conveyance of the State's interest within one year of the effective date of the regulations. The conveyances are subject to environmental conditions Stated by the DEC, and reservation, by the OGS, of the interests necessary to (a) protect the public use of State lands for navigation, commerce, fishing, and bathing, and (b) serve the public interest in environmental protection, with due regard for the need of affected property owners to safeguard their property.

New York State Canal Corporation

In the Whitehall Water Revitalization Area the New York State Canal Corporation, a subsidiary of the Thruway Authority, owns the underwater lands of the Canal. The State has sovereign title to the bed of Lake Champlain. In 1991, the people of New York State ratified an amendment to the State's Constitution allowing long-term leasing of Canal System lands. In 1992, legislation known as "Thruway 2000" was enacted in New York State transferring responsibility for the New York State Canal System from the New York State Department of Transportation to the New York State Thruway Authority. The legislation established the New York State Canal Corporation as a subsidiary of the Authority, and created the Canal Recreationway Commission, a 24-member body to advise the Authority on its canal-related activities. The legislation

directed the Commission to prepare a comprehensive plan for the development of the Canal System. The Commission completed the Canal Recreationway Plan in August 1995 and sent it to the Canal Corporation Board for its consideration. It was adopted by the Canal Board in September 1995 with the stipulation that a detailed schedule of costs, funding and phasing be prepared prior to implementation.

Empire State Development Corporation

The Empire State Development Corporation's (ESDC) goals are to create jobs and encourage economic prosperity by strengthening and supporting New York State businesses. ESDC acts as the business ambassador for New York State-providing information about various locations (e.g., comprehensive site and building information, community life), technical assistance, financial incentives and multi-faceted analyses. It also oversees the State's Economic Development zone Program. This program offers the most comprehensive package of technical assistance and financial incentives available in New York State.

Federal Agencies

Army Corps of Engineers

Whitehall Harbor is within the jurisdiction of the Army Corps of Engineers' (ACOE) New York City District. An ACOE field office is located in Albany. The ACOE has several important responsibilities relating to Whitehall Harbor, including regulation of any permanent or temporary structures below the mean high water line, and regulation of dredging or filling of wetlands and navigable waters. All regulatory and planning functions are carried out from the New York City office. The principal duties of the field office involve conducting surveys for navigation, and drift and snag removal.

- ACOE's Regulatory Authorities: Most of ACOE's regulatory authorities originate from Section 10 of the River and Harbor Act of 1899 and Section 404 of the Clean Water Act of 1977. Under Section 10, the ACOE regulates structures in, or affecting, navigable waters of the United States as well as the excavation or deposition of material in navigable waters. Under Section 404, the ACOE is responsible for evaluating applications for Department of the Army permits to deposit dredged and/or fill material into waters of the United States, including adjacent wetlands.

The ACOE issues two types of permits: individual permits and general permits. An individual permit is issued following evaluation of a specific proposal, and involves public notice of the proposed activity, review of comments and, if necessary, a public hearing. In general, an individual permit must be received from the ACOE for the following activities:

- Filling of wetlands and navigable waters;
- Placement of structures, including docks, piers, pilings, and bulkheads, in navigable waters; and
- Dredging and disposal of dredged material.

A general permit is issued for categories of activities judged to be substantially similar in nature and to cause only minimal individual and cumulative adverse environmental impacts. General permits include nationwide permits and regional permits. Activities that conform to the requirements of a nationwide or regional permit require neither a full application to the ACOE nor a public notice.

Examples of activities permitted (subject to various conditions and restrictions) under the nationwide general permit include: aids to navigation authorized by the Coast Guard; noncommercial single-boat mooring buoys; temporary buoys and markers placed for recreational uses such as water skiing and boat racing; duck blinds; outfall systems where a wastewater discharge permit has been obtained; and repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill.

Following receipt of an application for an individual permit, the ACOE sends out a public notice describing the project to appropriate Federal, State and local agencies, as well as to interested groups and individuals. The information received by ACOE from these agencies and groups following their reviews of the project includes written recommendations and appropriate certifications. After the specified comment period, the ACOE evaluates the proposed activity using guidelines developed by the U.S. Environmental Protection Agency.

In New York State, the ACOE and the DEC use a joint application form for the various permits (e.g., permits for dock construction and dredge and fill operations) required from both agencies.

- **ACOE's Navigation Responsibilities:** The ACOE is also responsible for constructing and maintaining Federal navigation projects specifically authorized by Acts of Congress. In exchange for using Federal funds to construct and maintain navigation projects, the Federal government, acting through the ACOE, requires that no private, commercial activities (such as marina development) occur within the project; that there be no encroachments (such as docks and moorings) into a designated channel or anchorage; and, that equitable opportunities for access to the navigation project by the general public are maintained. The ACOE may prepare basic guidelines regarding placement of moorings, piers, piles, and other structures adjacent to a channel. These guidelines typically include minimum distances that docks and piers should be set back from the boundaries of navigation channels to help ensure boating safety.

U.S. Coast Guard

Whitehall Harbor is within the jurisdiction of the First District headquartered in Boston, Massachusetts. The boundaries of this District encompass New England, the eastern half of New York State and the northern half of New Jersey. Its missions include stopping illegal migration, drug interdiction, fisheries enforcement, search and rescue, ice breaking, environmental protection, flood relief, and boater education.

The Coast Guard regularly conducts a Waterways Analysis Program through which the adequacy of aids to navigation is evaluated. The Coast Guard also establishes

requirements for the marking, lighting, and standardization of all nonfederal (“private”) aids to navigation.

Coast Guard search and rescue operations are carried out cooperatively with local, county, and State agencies. The Coast Guard shares responsibility for responding to oil and hazardous materials spills with the U.S. Environmental Protection Agency, in cooperation with State and local offices. By law, all oil spills must be reported to the Coast Guard, and the Coast Guard has the authority to close a harbor to navigation in the event of an emergency.

The Coast Guard has the primary responsibility for enforcing Federal boating laws and regulations, including the proper use of marine sanitation devices, and has authority to board and inspect vessels to ensure compliance with Federal boating laws and regulations. Law enforcement responsibilities are shared with State, county, and local enforcement authorities.

Fish and Wildlife Service

The Fish and Wildlife Service (FWS) provides advice and comments to the ACOE on the potential impacts that proposed development activities requiring an ACOE Section 10 or 404 permit would have on fish and wildlife resources. The FWS reviews and comments on the permit applications placed on public notice by the ACOE and would comment on and review any proposal for use of dredged material disposal sites.

The FWS is not a permitting agency. Its recommendations with regard to the potential impacts of development proposals subject to Section 10 and 404 permitting programs, however, must be considered by the ACOE and given equal weight to other environmental and socioeconomic factors in evaluating the permit application.

National Marine Fisheries Service

The National Marine Fisheries Service (NMFS) within the Department of Commerce has authority to comment to the ACOE on the potential impacts that proposed development activities requiring an ACOE Section 10 or 404 permit would have on marine fisheries resources. Like the FWS, the NMFS reviews and comments on the permit applications placed on public notice by the ACOE.

Also like the FWS, the NMFS is not a permitting agency but its recommendations with regard to the potential impacts of development proposals must be considered by the ACOE and given equal weight to all other factors in evaluating the permit application.

Environmental Protection Agency

The Environmental Protection Agency (EPA) has several responsibilities that indirectly impact Whitehall Harbor, particularly with regard to water quality. For example, the EPA is responsible for establishing standards for discharge of municipal and industrial wastewater, providing grants for construction of municipal sewerage systems, and administering the National Pollution Discharge Elimination System (NPDES). In New York, responsibilities for administration and enforcement of the NPDES, in accordance with the provisions of the Federal Clean Water Act, has been turned over to the DEC.

Under Section 312 of the Clean Water Act, if a State or municipality wishes to establish a no-discharge zone within which marine sanitation devices cannot be discharged directly to the water, the EPA must determine if there are adequate pump-out facilities available to permit such a prohibition on direct discharges. Also under Section 312 of the Clean Water Act, the EPA is responsible for establishing Federal standards of performance for marine sanitation devices.

The EPA also has responsibility for reviewing and commenting on applications submitted to the ACOE for dredging and filling in navigable waters. The EPA may veto an ACOE permit for dredging or filling if it determines that the proposed development would have an unacceptable adverse effect on environmental resources.

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) is responsible for conducting studies (flood insurance studies) and publishing maps (flood insurance rate maps) to determine flood vulnerability. The flood insurance rate maps are also prepared for the purpose of providing flood insurance to residents of the communities that participate in the National Flood Insurance Program (NFIP). FEMA establishes the minimum floodplain regulations that a community must adopt to participate in the NFIP.

The General Public, Waterfront Owners, Private Interests

The general public and waterfront property owners have important rights and interests in Whitehall. The rights of the general public are in accordance with the Public Trust Doctrine. Waterfront property owners have important riparian rights of access.

The General Public

In general, navigation rights take precedence over other in-water rights. Boaters have the right of free navigation (generally interpreted to include fishing) subject to lawfully enacted restrictions. The right of navigation includes the right to anchor, but does not include the right to a mooring (a mooring is a structure subject to a permit from the ACOE).

In New York State, the general public also has the right of access along the foreshore (between mean high water and mean low water), even if the adjacent upland is in private ownership. The general public, however, does not have the right of access across privately owned upland to reach the publicly-owned foreshore or open tidal waters.

Waterfront Property Owners

Certain rights – referred to as riparian or littoral rights – are inherent in the ownership of land that borders on navigable waters. The right of access to navigable water is a fundamental riparian right of waterfront property owners. This right is distinct from, and in addition to, the general right of the public to use these waters in accordance with the Public Trust Doctrine.

The riparian owner has certain rights not available to the general public, including “a right of access to the water body adjoining his land ... [and a right to] wharf out to the point of navigability or channel, subject to reasonable State regulations intended to preserve the public’s interest in the flow of water and in subaqueous land.” State regulations include, for example, DEC permit requirements for the construction of docks, piers, and wharves. In addition, where a wharf or pier is to be constructed in navigable waters of the United States, a permit from the ACOE must also be obtained.

With regard to shoreline changes (such as result from erosion and accretion) “it is a generally well-recognized principle of riparian law that whatever is added to riparian land as a result of gradual and imperceptible growth through the operation of natural causes belongs to the riparian owner. And conversely, whatever is taken away from the riparian lands under similar circumstances is lost to the upland owner.”

Limitations on the riparian or littoral property owner’s rights “are based on concepts of nuisance or of police power regulation rather than on any theory of public rights”, as well as on limitations related to the Federal Navigation Servitude.

Private Interests

- Whitehall Chamber of Commerce

The Whitehall Chamber of Commerce is an organization dedicated to the promotion of business in the area. Its office is located on Route 4 at the southern end of the Water Revitalization Area.

- Downtown Business Association

The Downtown Business Association is a group of individuals dedicated to positive action in the downtown area. It recently issued a report, ECO’99, that sets forth ideas for the future of the area. Some of the ideas relate to cruises, partnerships with Amtrak, infrastructure efforts, and the Bridge Theater. The Bridge Theater is built on what is now the pedestrian bridge near Lock 12.

- Arts and Recreation Committee of Whitehall, New York, Inc.

To pursue the Bridge Theater, a not-for-profit corporation, Arts and Recreation of Whitehall, New York, Inc. was formed. At this time, the theater is scheduled to open in May of 2000. The New York State Department of Transportation is leasing the bridge to the not-for-profit group.

SECTION VIII LOCAL COMMITMENT

To ensure that the needs and desires of the community were reflected in this Local Waterfront Revitalization Program, the Mayor of Whitehall established an LWRP Planning Committee consisting of members of the Village Board and Planning Board, various members from the business community, a representative from Shelter Planning, the Washington County Planning Department and the Canal Corporation. During the course of the Program's development the Committee held many committee meetings at which public comment was always accepted. Following the completion of the Inventory and Analysis, a formal presentation was made to the public on May 3, 2000. This meeting was announced in the local newspapers and on the Whitehall Chamber of Commerce Web Site. The full document with maps was available on the site and public input was solicited.

The LWRP was prepared over a period of two and one-half years. The Committee discussed and carefully reviewed sections of the Plan as they were drafted. The Committee contributed considerable time, interest and expertise to the LWRP's preparation. Public input clarified various issues and assisted in the identification of resolutions.

APPENDIX A
Flora and Fauna Within the Coastal Area;
NY Natural Heritage Program Letter

Flora and Fauna Potentially Within the Coastal Area

FLORA - Trees

Common Name	Scientific Name	Habitat
Sugar Maple	<i>Acer saccharum</i>	Forest
Black Birch	<i>Betula lenta</i>	Forest
Paper Birch	<i>Betula papyrifera</i>	Forest
Gray Birch	<i>Betula populifolia</i>	Forest
Shagbark Hickory	<i>Carya ovata</i>	Forest
Hawthorn	<i>Crataegus sp.</i>	Open field
American Beech	<i>Fagus grandifolia</i>	Forest
White Ash	<i>Fraxinus americana</i>	Forest
Honey-Locust	<i>Gleditsia triacanthos</i>	Forest
Red Cedar	<i>Juniperus virginiana</i>	Forest, open field
White Pine	<i>Pinus strobus</i>	Forest, open field
Bigtooth Aspen	<i>Populus grandidentata</i>	Forest
Black Cherry	<i>Prunus serotina</i>	Forest, open field
Pinecherry	<i>Prunus pensylvanica</i>	Forest, wetland
Chestnut Oak	<i>Quercus prinus</i>	Forest
Red Oak	<i>Quercus rubra</i>	Forest
Hemlock	<i>Tsuga canadensis</i>	Forest
American Elm	<i>Ulmus americana</i>	Forest

FLORA – Shrubs and Vines

Common Name	Scientific Name	Habitat
Shadbush	<i>Amelanchier sp.</i>	Wetland
Gray Dogwood	<i>Cornus foemina</i>	Forest, open field
Bush Honeysuckle	<i>Diervilla lonicera</i>	Forest, open field, wetland
Male-Berry	<i>Lyonia ligustrina</i>	Open field
Staghorn Sumac	<i>Rhus typhina</i>	Forest, open field
Northern Blackberry	<i>Rubus allegheniensis</i>	Open field
Red Raspberry	<i>Rubus idaeus</i>	Open field
Arrowwood	<i>Viburnum recognitum</i>	Forest
Wild Grape	<i>Vitis sp.</i>	Forest

FLORA – Herbaceous plants, low woody plants

Common Name	Scientific Name	Habitat
Quack Grass	<i>Agropyron repens</i>	Open field, wetland
Garlic Mustard	<i>Alliaria petiolata</i>	Forest

Common Burdock	<i>Arctium minus</i>	Open field
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FLORA – Herbaceous plants, low woody plants - cont'd.

Common Name	Scientific Name	Habitat
Milkweed	<i>Asclepias sp.</i>	Open field, wetland
Asters	<i>Aster sp.</i>	Open field
Tussock-Sedge	<i>Carex stricta</i>	Wetland
Chicory	<i>Chichorium intybus</i>	Open field
Cinquefoil	<i>Cinquefoil sp.</i>	Forest
Queen Anne's Lace	<i>Daucus carota</i>	Open field
Evergreen Wood Fern	<i>Dropteris marginalis</i>	Forest
Prickly Cucumber	<i>Echinocystis lobato</i>	Wetland
Scouring Rush	<i>Equisetum hyemale</i>	Wetland
Spotted Joe-Pye Weed	<i>Eupatorium maculatum</i>	Open field
Wild Strawberry	<i>Fragaria virginiana</i>	Forest, Open field
Spotted Jewelweed	<i>Impatiens capensis</i>	Wetland
Sweet Clover	<i>Melilotus sp.</i>	Open field, wetland
Sensitive Fern	<i>Onoclea sensibilis</i>	Forest
Reed Canary Grass	<i>Phalaris arundinacea</i>	Wetland
Common Plantain	<i>Plantago major</i>	Open field
Goldenrod	<i>Solidago sp.</i>	Open field
Blue Vervain	<i>Verbena hastata</i>	Open field

AVIFAUNA

Common Name	Scientific Name	Habitat
Pied-Billed Grebe	<i>Podilymbus podiceps</i>	Aquatic habitats, wetland
American Bittern	<i>Botaurus lentiginosus</i>	Wetland
Great Blue Heron	<i>Ardea herodias</i>	Wetland, aquatic habitats, mature forest
Green-Backed Heron	<i>Butorides striatus</i>	Agricultural land, wetland, aquatic habitats
Canada Goose	<i>Branta canadensis</i>	Agricultural land, open field, wetland
Wood Duck	<i>Aix sponsa</i>	Wetland, aquatic habitats
American Black Duck	<i>Anas rubripes</i>	Wetland, aquatic habitats, mature forest
Mallard	<i>Anas platyrhynchos</i>	Wetland, aquatic habitats
Northern Pintail	<i>Anas acuta</i>	Agricultural land, wetland
Turkey Vulture	<i>Cathartes aura</i>	Open field, mature forest
Northern Harrier	<i>Circus cyaneus</i>	Wetland, agricultural land
Northern Goshawk	<i>Accipiter gentilis</i>	Mature forest
Sharp-Shinned Hawk	<i>Accipiter striatus</i>	Mature forest
Red-Shouldered Hawk	<i>Buteo lineatus</i>	Open field, mature forest
Broad-Winged Hawk	<i>Buteo platypterus</i>	Mature forest

Red-Tailed Hawk	<i>Buteo jamaicensis</i>	Open field, mature forest
American Kestrel	<i>Falco sparverius</i>	Open field, mature forest

AVIFAUNA – cont'd.

Common Name	Scientific Name	Habitat
Ring-Necked Pheasant		
Ruffed Grouse	<i>Bonasa umbellus</i>	Open field, mature forest
Wild Turkey	<i>Melagaris gallopavo</i>	Agricultural lands, open field, mature forest
Virginia Rail	<i>Rallus limicola</i>	Wetland
Common Moorhen	<i>Gallinula chloropus</i>	Wetland, aquatic habitats
Sora	<i>Poranza carolina</i>	Open field, wetland
Killdeer	<i>Charadrius vociferus</i>	Agricultural land, open field, aquatic habitats
Spotted Sandpiper	<i>Actitis macularia</i>	Wetland, aquatic habitats
Common Snipe	<i>Gallinago gallinago</i>	Open field, mature forest, wetland
American Woodcock	<i>Scaolpax minor</i>	Agricultural land, open field, mature forest, wetland
Rock Dove	<i>Colmba livia</i>	Agricultural land, open field
Mourning Dove	<i>Zenaida macroura</i>	Agricultural land, open field
Eastern Screech Owl	<i>Otus asio</i>	Open field, mature forest, wetland
Great Horned Owl	<i>Bubo virginiana</i>	Mature forest
Whip-poor-will	<i>Caprimulgus vociferus</i>	Mature forest
Chimney Swift	<i>Cahetura palagica</i>	Open field
Ruby-Throated Hummingbird	<i>Archilochus colubris</i>	Open field, mature forest
Belted Kingfisher	<i>Caryle alcyon</i>	Mature forest, wetland, aquatic habitats
Yellow-Bellied Sapsucker	<i>Sphyrapicus varius</i>	Mature forest
Downy Woodpecker	<i>Picoides pubescens</i>	Open field, mature forest
Hairy Woodpecker	<i>Picoides vilosus</i>	Open field, mature forest, wetland
Northern Flicker	<i>Colaptes auratus</i>	Open field, mature forest
Pileated Woodpecker	<i>Dryocopus pileatus</i>	Mature forest
Eastern Wood Peewee	<i>Contopus virens</i>	Open field, mature forest
Willow Flycatcher	<i>Empidonax traillii</i>	Open field
Least Flycatcher	<i>Empidonax minimus</i>	Open field, mature forest
Eastern Phoebe	<i>Sayornis phoebe</i>	Mature forest, aquatic habitats
Great-Crested Flycatcher	<i>Myiarchus crinitus</i>	Open field, mature forest, wetland
Eastern Kingbird	<i>Tyrannus tyrannus</i>	Open field, mature forest, aquatic habitats
Horned Lark	<i>Eremophila alpestris</i>	Aquatic habitats, open field
Tree Swallow	<i>Tachycineta bicolor</i>	Open field, wetland, aquatic habitats
Bank Swallow	<i>Riparia riparia</i>	Aquatic habitats
Northern Rough-Winged	<i>Stelgidopterx serripennis</i>	Open field, aquatic habitats

Swallow		
Cliff Swallow	<i>Hirundo phyrhonta</i>	Open field, aquatic habitats

AVIFAUNA – cont'd.

Common Name	Scientific Name	Habitat
Barn Swallow	<i>Hirundo rustica</i>	Open field, aquatic habitats
Blue Jay	<i>Cyanocitta cristata</i>	Open field, mature forest
American Crow	<i>Corvus brachyrhynchos</i>	Agricultural land, open field, mature forest
Black-Capped Chickadee	<i>Parus atricapillus</i>	Open field, mature forest
Tufted Titmouse	<i>Parus bicolor</i>	Mature forest, wetland
Red-Breasted Nuthatch	<i>Sitta canadensis</i>	Mature forest
White-Breasted Nuthatch	<i>Sitta carolinensis</i>	Open field, mature forest, wetland
Brown Creeper	<i>Certhia americana</i>	Mature forest, wetland
House Wren	<i>Troglodytes aedon</i>	Agricultural land, open field, mature forest, wetland
Winter Wren	<i>Troglodytes troglodytes</i>	Mature forest, wetland
Northern Mockingbird	<i>Mimus polyglottos</i>	Open field
Golden-Crowned Kinglet	<i>Regulus satrapa</i>	Mature forest, wetland
Blue-Gray Gnatcatcher	<i>Poliophila carerula</i>	Mature forest, wetland, aquatic habitats
Eastern Bluebird	<i>Sialia sialia</i>	Agricultural land, open field, wetland
Veery	<i>Catharus fuscescens</i>	Mature forest, wetland
Wood Thrush	<i>Hylocichla mustelina</i>	Mature forest, wetland, aquatic habitats
Hermit Thrush	<i>Catharus guttatus</i>	Mature forest
American Robin	<i>Turdus migratorius</i>	Agricultural land, open field, mature forest
Gray Catbird	<i>Dumetella carolinensis</i>	Open field, mature forest, wetland, aquatic habitats
Brown Thrasher	<i>Toxostoma rufum</i>	Open field, mature forest
Cedar Waxwings	<i>Bombycilla cedrorum</i>	Open field, wetland
European Starling	<i>Sturnus vulgaris</i>	Agricultural land, open field
Solitary Vireo	<i>Vireo solitarius</i>	Mature forest, aquatic habitats
Yellow-Throated Vireo	<i>Vireo flavifrons</i>	Mature forest, aquatic habitats
Warbling Vireo	<i>Vireo gilvus</i>	Open field, mature forest, wetland, aquatic habitats
Red-Eyed Vireo	<i>Vireo olivaceus</i>	Open field, mature forest
Warblers		Agricultural land, open field, mature forest, wetland, aquatic habitats
	<i>Vermivora sp.</i>	
	<i>Parula sp.</i>	
	<i>Dendroica sp.</i>	
	<i>Miniotilta sp.</i>	
	<i>Oporornis sp.</i>	

	<i>Wilsonia sp.</i>	
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AVIFAUNA – cont'd.

Common Name	Scientific Name	Habitat
American Redstart	<i>Setophaga ruticilla</i>	Open field, mature forest, wetland
Ovenbird	<i>Seiurus aurocapillus</i>	Mature forest
Northern Waterthrush	<i>Seiurus novboracensis</i>	Wetland
Louisiana Waterthrush	<i>Seiurus motacilla</i>	Mature forest, aquatic habitats
Common Yellowthroat	<i>Geothlypis trichas</i>	Open forest, wetland, aquatic habitats
Scarlet Tanager	<i>Piranga olivacea</i>	Mature forest
Northern Cardinal	<i>Cardinalis cardinalis</i>	Open field, mature forest, wetland
Rose-Breasted Grosbeak	<i>Pheucticus ludovicianus</i>	Open field, wetland
Indigo Bunting	<i>Passerina cyanea</i>	Open field, mature forest
Rufous-Sided Towhee	<i>Pipilo erythrophthalmus</i>	Open field, mature forest
Sparrows		Agricultural land, open field, mature forest, wetland, aquatic habitats
	<i>Passer sp.</i>	
	<i>Spizella sp.</i>	
	<i>Pooecetes sp.</i>	
	<i>Passerculus sp.</i>	
	<i>Ammodramus sp.</i>	
	<i>Melospiza sp.</i>	
	<i>Zonotrichia sp.</i>	
Dark-Eyed Junco	<i>Junco hyemalis</i>	Open field, mature forest
Bobolink	<i>Dolichonyx orizivorus</i>	Agricultural land, open field, wetland
Red-Winged Blackbird	<i>Agelaius phoeniceu</i>	Agricultural land, open field, mature forest, wetland, aquatic habitats
Eastern Meadowlark	<i>Sturnella magna</i>	Agricultural land, open field
Common Grackle	<i>Quiscalus quiscula</i>	Open field, mature forest, wetland
Brown-Headed Cowbird	<i>Molothrus ater</i>	Agricultural land, open field, mature forest, wetland
Northern Oriole	<i>Icterus galbula</i>	Mature forest, aquatic habitats
Purple Finch	<i>Carpodacus purpureus</i>	Open field, mature forest
House Finch	<i>Carpodacus exicanus</i>	Agricultural land, open field
American Goldfinch	<i>Carduelis tristis</i>	Agricultural land, open field, mature forest, wetland
Pine Grosbeak	<i>Pinicola enucleator</i>	Mature forest

MAMMALIAN FAUNA

Common Name	Scientific Name	Habitat
White-Tailed Deer	<i>Odocoileus virginianus</i>	Agricultural land, open field, mature forest, wetland, aquatic habitats
Striped Skunk	<i>Mephitis mephitis</i>	Agricultural land, open field, mature forest, wetland, aquatic habitats
Long-Tailed Weasel	<i>Mustela finata</i>	Agricultural land, open field, mature forest, wetland, aquatic habitats
Raccoon	<i>Procyon lotor</i>	Agricultural land, open field, mature forest, wetland, aquatic habitats
Ermine	<i>Mustela erminea</i>	Open field, mature forest, wetland
Black Bear	<i>Ursus americana</i>	Mature forest, wetland, aquatic habitats
Gray Fox	<i>Urocyon cinereoargenteus</i>	Open field, mature forest
Red Fox	<i>Vulpes vulpes</i>	Agricultural land, open field, mature forest
Coyote	<i>Canis latrans</i>	Agricultural land, open field, mature forest, wetland
Bobcat	<i>Lynx rufus</i>	Open field, mature forest, wetland
Porcupine	<i>Erethizon dorsatum</i>	Open field, mature forest, wetland, aquatic habitats
Meadow Jumping Mouse	<i>Zapus hudsonius</i>	Open field, mature forest
Rock Vole	<i>Microtus chrotorrhinus</i>	Mature forest
Meadow Vole	<i>Microtus pennsylvanicus</i>	Agricultural land, open field, mature forest, wetland
White-Footed Mouse	<i>Peromyscus leucopus</i>	Open field, mature forest
Deer Mouse	<i>Peromyscus maniculatus</i>	Open field, mature forest
House Mouse	<i>Mus musculus</i>	Open field, mature forest
Norway Rat	<i>Rattus norvegicus</i>	Agricultural land, open field
Red Squirrel	<i>Tamiasciurus hudsonicus</i>	Mature forest, wetland
Gray Squirrel	<i>Sciurus carolinensis</i>	Mature forest
Woodchuck	<i>Marmota monax</i>	Agricultural land, open field, mature forest
Eastern Chipmunk	<i>Tamias striatus</i>	Mature forest
Eastern Cottontail	<i>Sylvilagus floridanus</i>	Agricultural land, open field, mature forest, wetland
Little Brown Bat	<i>Myotis lucifigus</i>	Mature forest, aquatic habitats
Keen's Myotis	<i>Myotis keenii</i>	Mature forest
Star-Nosed Move	<i>Condylura cristata</i>	Agricultural land, open field, mature forest, wetland, aquatic habitats

MAMMALIAN FAUNA – cont'd.

Common Name	Scientific Name	Habitat
Short-Tailed Shrew	<i>Blarina brevicauda</i>	Open field, mature forest, wetland
Masked Shrew	<i>Sorex cinereus</i>	Open field, mature forest
Opposum	<i>Didelphis virginiana</i>	Agricultural land, open field, mature forest, wetland

AMPHIBIAN AND REPTILIAN FAUNA

Common Name	Scientific Name	Habitat
Painted Turtle	<i>Chrysemys picta</i>	Wetland, aquatic habitats
Wood Turtle	<i>Clemmys insculpta</i>	Agricultural land, wetland, aquatic habitats
Eastern Mud Turtle	<i>Kinosteron subrubrum</i>	Wetland, aquatic habitats
Eastern Box Turtle	<i>Terrapene carolina</i>	Agricultural land, open field, mature forest, wetland
Spotted Turtle	<i>Clemmys glutinata</i>	Wetland, aquatic habitats
Snapping Turtle	<i>Chelydra serpentina</i>	Wetland, aquatic habitats
Brown Snake	<i>Storeria dekayi</i>	Open field, mature forest, wetland
Redbelly Snake	<i>Storeria occipitomaculata</i>	Open field, mature forest, wetland
Smooth Green Snake	<i>Opheodrys vernalis</i>	Open field, mature forest
Racer	<i>Coluber constrictor</i>	Open field, mature forest
Rat Snake	<i>Elaphe obsoleta</i>	Agricultural land, open field, mature forest, wetland
Common Garter Snake	<i>Thamnophis sirtalis</i>	Agricultural land, open field, mature forest, wetland
Milk Snake	<i>Lampropeltis triangulum</i>	Agricultural land, open field, mature forest, wetland
Copperhead	<i>Agkistrodon contortrix</i>	Open field, mature forest
Fowler's Toad	<i>Bufo woodhousei fowleri</i>	Wetland, aquatic habitats
Gray Treefrog	<i>Hyla versicolor</i>	Wetland, aquatic habitats
Wood Frog	<i>Rana sylvatica</i>	Mature forest
Pickerel Frog	<i>Rana palustri</i>	Open field, wetland, aquatic habitats
Bullfrog	<i>Rana catesbeianus</i>	Wetland, aquatic habitats
Green Frog	<i>Rana clamitans</i>	Wetland, aquatic habitats
Northern Leopard Frog	<i>Rana pipiens</i>	Wetland, aquatic habitats
American Toad	<i>Bufo americanus</i>	Wetland, aquatic habitats
Spring Peeper	<i>Hyla crucifer</i>	Wetland, aquatic habitats
Eastern Newt	<i>Notophthalmus viridescens</i>	Aquatic habitats
Jefferson Salamander	<i>Ambystoma jeffersonianum</i>	Wetland, mature forest

Blue-Spotted Salamander	<i>Ambystoma laterale</i>	Wetland, mature forest
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AMPHIBIAN AND REPTILIANFAUNA – cont'd.

Common Name	Scientific Name	Habitat
Spotted Salamander	<i>Ambystoma maculatum</i>	Wetland, mature forest
Dusky Salamander	<i>Desmognathus fuscus</i>	Wetland, mature forest
Redback Salamander	<i>Plethodon cinereus</i>	Wetland, mature forest
Spring Salamander	<i>Gyrinophilus porphyriticus</i>	Wetland, mature forest
Two-Lined Salamander	<i>Eurycea bislineata</i>	Wetland, mature forest

Sources: Andrle, R.F. and J.R. Carroll (eds.), *The Atlas of Breeding Birds in New York State, 1988*, Cornell University Press, Ithaca, NY.; Saunders, D.A., *Adirondack Mammals, 1988*, State University of New York College of Environmental Science and Forestry, Syracuse, NY.; Sutton, A. and M. Sutton (eds), *The Audubon Society Nature Guides; Eastern Forests, 1986*, Alfred A. Knopf, New York.

New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
Wildlife Resources Center – New York Natural Heritage Program
700 Troy-Schenectady Road, Latham, New York 12110-2400
Phone: (518) 783-3932 FAX: (518) 783-3916



April 1, 1999

Sarah A. Clarkin
the LA Group
40 Long Alley
Saratoga Springs, NY 12866

ans taskforce.gov

Dear Ms. Clarkin:

We have reviewed the New York Natural Heritage Program files with respect to your recent request for biological information concerning the proposed Local Waterfront Revitalization Program, area as indicated on your enclosed map, located in the Village of Whitehall, Washington County.

Enclosed is a computer printout covering the area you requested to be reviewed by our staff. The information contained in this report is considered sensitive and may not be released to the public without permission from the New York Natural Heritage Program.

Our files are continually growing as new habitats and occurrences of rare species and communities are discovered. In most cases, site-specific or comprehensive surveys for plant and animal occurrences have not been conducted. For these reasons, we can only provide data which have been assembled from our files. We cannot provide a definitive statement on the presence or absence of species, habitats or natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

This response applies only to known occurrences of rare animals, plants, natural communities, and/or significant wildlife habitats. Please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the address enclosed for information regarding any regulated areas or permits that may be required (e.g., regulated wetlands) under State Law.

If this proposed project is still active one year from now we recommend that you contact us again so that we may update this response.

Sincerely,

Teresa Mackey
Teresa Mackey, Information Services
NY Natural Heritage Program

Encs

cc: Reg. 5, Wildlife Mgr.
Reg. 5, Fisheries Mgr.

NATURAL HERITAGE REPORT ON RARE SPECIES and ECOLOGICAL COMMUNITIES

Prepared 31 MAR 1999 by NY Natural Heritage Program, NYS DEC, Latham, New York.

Records with a PRECISION value of "S" are known to be in a location which may be impacted by the proposed action.
 Records with a PRECISION value of "M" may possibly occur within the project area in appropriate habitat.
 This report contains SENSITIVE information which should be treated in a sensitive manner -- Please see cover letter.

REFER TO THE USERS GUIDE FOR EXPLANATIONS OF CODES, RANKS, AND FIELDS.

* LOCATION	SCIENTIFIC NAME & Common Name	NY LEGAL STATUS & HERITAGE RANK	FEDERAL STATUS	PRECISION & ACRES	EORANK & LAST SEEN	GENERAL HABITAT AND QUALITY	TOWN(S) & DETAILED LOCATION	USGS TOPO QUAD LAT & LONG	OFFICE USE
* LAKE CHAMPLAIN SOUTH BASIN									

DEEP EMERGENT MARSH COMMUNITY		UNPROTECTED		S 835 A	1997	DEEP WATER MARSH OCCUPYING 50% OF UPPER PORTION OF LAKE CHAMPLAIN AND EXTENDING UP TWO TRIBUTARIES IN SECLUDED BAYS AND ISOLATED BASINS ON INSIDE OF RIVER MEANDERS. LEVEES SUPPORTING SILVER MAPLE-ASH SWAMPS AND FLOODPLAIN FORESTS SEPARATE THE MARSH FROM AQUATIC COMMUNITIES. IN DEEPER WATER THE MARSH GRADES INTO A CULTURAL EUTROPHIC LAKE WITH TRAPA NATANS-CHOKED CHANNELS AND BAYS PLUS THE LOWER REACHES OF A MAIN CHANNEL STREAM. THE LANDSCAPE IS MODERATELY INTACT WITH SCATTERED RESIDENCES, CLEARINGS AND PARALLELING TRANSPORTATION CORRIDORS. ENORMOUS MARSH COMPLEX WITH EXCELLENT NATIVE SPECIES DIVERSITY AND ONE OR MORE LARGE CORES WITH MINIMAL DISTURBANCES, BUT WITH SEVERAL CORES WITH HIGH CONCENTRATION OF INVASIVE EXOTICS. POSSIBLY	DRESDEN, PUTNAM, WHITEHALL. SOUTHERN HEADWATERS OF LAKE CHAMPLAIN INCLUDING THREE LARGE TRIBUTARIES. COMMUNITY STRETCHES ALONG LAKE FROM CEDAR MOUNTAIN, VT TO WHITEHALL (THE ELBOW AND LOWEST LOCK ON WOOD CREEK), PLUS THE LOWER 1.5 MILES OF SOUTH BAY AND THE LOWER 4.5 MILES OF POUTNEY RIVER FROM ITS MOUTH UPSTREAM TO COGGMAN POND. COMMUNITY IS BEST OBSERVED VIA BOAT LAUNCHED FROM NYS DEC BOAT LAUNCH AT ROUTE 22 CROSSING OVER SOUTH BAY. IT CAN ALSO BE ACCESSED VIA DODGE ROAD, SCIOTO ROAD AND BELDEN ROAD.	PUTNAM 43 38 22 N 73 25 50 W	4307364 5
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NATURAL HERITAGE REPORT ON RARE SPECIES and ECOLOGICAL COMMUNITIES

Prepared 31 MAR 1999 by NY Natural Heritage Program, NYS DEC, Latham, New York.

Records with a PRECISION value of "S" are known to be in a location which may be impacted by the proposed action.
 Records with a PRECISION value of "M" may possibly occur within the project area in appropriate habitat.
 This report contains SENSITIVE information which should be treated in a sensitive manner -- Please see cover letter.

page 2

REFER TO THE USERS GUIDE FOR EXPLANATIONS OF CODES, RANKS, AND FIELDS.

* LOCATION	SCIENTIFIC NAME & Common Name	NY LEGAL STATUS & HERITAGE RANK	FEDERAL STATUS	PRECISION & ACRES	FORANK & LAST SEEN	GENERAL HABITAT AND QUALITY	TOWN(S) & DETAILED LOCATION	USGS TOPO QUAD LAT & LONG	OFFICE USE
* POULTNEY RIVER						LARGEST OCCURRENCE IN NEW YORK. CHOSEN AS ONE OF TWO BEST IN ADIRONDACK NATURE CONSERVANCY AREA (D. HUNT, 1997).			

NATURAL HERITAGE REPORT ON RARE SPECIES AND ECOLOGICAL COMMUNITIES

Prepared 31 MAR 1999 by NY Natural Heritage Program, NYS DEC, Latham, New York.

Records with a PRECISION value of "S" are known to be in a location which may be impacted by the proposed action. Records with a PRECISION value of "M" may possibly occur within the project area in appropriate habitat.

This report contains SENSITIVE information which should be treated in a sensitive manner -- Please see cover letter.

REFER TO THE USERS GUIDE FOR EXPLANATIONS OF CODES, RANKS, AND FIELDS.

* LOCATION		NY LEGAL STATUS & HERITAGE RANK	FEDERAL STATUS	PRECISION & ACRES	FORANK & LAST SEEN	GENERAL HABITAT AND QUALITY	TOWN(S) & DETAILED LOCATION	USGS TOPO QUAD LAT & LONG	OFFICE USE
FLOODPLAIN FOREST COMMUNITY	UNPROTECTED	S	105	BC	1997	OCURRENCE IS A NARROW STRIP OF 10 PATCHES THAT FOLLOW THE POULTNEY RIVER/EAST BAY FROM THE CARVER FALLS DAM W AND S TO A LARGE PATCH AT THE HEAD OF LAKE CHAMPLAIN (THE ELBOW). THE FLOODPLAIN FOREST IS BORDERED BY DEEP EMERGENT MARSH, SILVER MAPLE ASH SWAMP, SUCCESSIONAL OLD FIELD, AND CROPLAND. THE LANDSCAPE IS MODERATELY INTACT WITH MODERATE SIZE FOREST FRAGMENTS AND INTACT MARSHES, AGRICULTURAL FIELDS, AND SCATTERED RESIDENCES. MODERATE SIZE OCCURENCE WITH GOOD DIVERSITY, A FEW LARGE TREES, LOGGED AREAS, AND SOME EXOTICS INCLUDING INVASIVE EXOTICS. LANDSCAPE IS MODERATELY INTACT.	WHITEHALL, HAMPTON. FROM WHITEHALL GO N ON RTE 10 (SCIOTA ROAD). TURN LEFT ONTO EAST BAY RD, DODGE RD, WARD RD, OR WADE RD. DRIVE TO THE END OF THE ROAD. WALK W TOWARDS RIVER. OCCURRENCE IS A NARROW STRIP OF 10 PATCHES THAT FOLLOW THE POULTNEY RIVER/EAST BAY FROM THE CARVER FALLS DAM W AND S TO A LARGE PATCH AT THE HEAD OF LAKE CHAMPLAIN (THE ELBOW).	WHITEHALL 43 35 58 N 73 22 40 W	4307354 27

NATURAL HERITAGE REPORT ON RARE SPECIES AND ECOLOGICAL COMMUNITIES

Prepared 31 MAR 1999 by NY Natural Heritage Program, NYS DEC, Latham, New York.

Records with a PRECISION value of "ns" are known to be in a location which may be impacted by the proposed action. Records with a PRECISION value of "m" may possibly occur within the project area in appropriate habitat. This report contains SENSITIVE information which should be treated in a sensitive manner -- please see cover letter.

page 4

REFER TO THE USERS GUIDE FOR EXPLANATIONS OF CODES, RANKS, AND FIELDS.

* LOCATION		NY LEGAL STATUS & HERITAGE RANK	FEDERAL STATUS	PRECISION	ACRES	EORANK & LAST SEEN	GENERAL HABITAT AND QUALITY	TOWN(S) & DETAILED LOCATION	USGS TOPO QUAD LAT & LONG	OFFICE USE
* SKENE MOUNTAIN										
CAREX SCIRPOIDEA		THREATENED	S	1	AB	1988	OPEN CANOPY ROCKY WOODS ON STEEP SLOPE WITH OPEN GRASSY/SEDGY SPOTS. OPEN SECTIONS OF CALCAREOUS ROCKY SUMMIT COMMUNITY. ASSOCIATED SPECIES: PANICUM FLEXILE, SOLIDAGO PTARMACOIDES, SORGHASTRUM NUTANS, AND CAREX EBURNEA.	WHITEHALL. SW FACE OF SKENE MT, 0.3 MI S OF EXTREME SUMMIT OF HILL OVERLOOKING VILLAGE OF WHITEHALL.	WHITEHALL 43 33 12 N 73 23 44 W	4307354 11
Canadian single-spike sedge		G5 S1								
VASCULAR PLANT										
LARGE POPULATION IN DIVERSE HABITAT, PROTECTABLE.										
PANICUM FLEXILE		THREATENED	S	1	B	1988	OPEN CANOPY ROCKY WOODS ON STEEP SLOPE WITH OPEN GRASSY/SEDGY SPOTS OVERLOOKING VILLAGE OF WHITEHALL. OPEN ROCKY AREAS ON STEEP SLOPE. SEEPAGE. ASSOCIATED SPECIES: SENECIO PAUPERCULUS, SORGHASTRUM NUTANS AND CAREX SCIRPOIDEA.	WHITEHALL. SW FACE OF SKENE MT 0.3 MI S OF EXTREME SUMMIT OF HILL. PLANTS LOCATED ON OPEN ROCKY AREAS ON STEEP SLOPE.	WHITEHALL 43 33 12 N 73 23 44 W	4307354 11
Wiry panic grass		G5 S2								
VASCULAR PLANT										
200-500 PLANTS IN GOOD HABITAT.										

NATURAL HERITAGE REPORT ON RARE SPECIES AND ECOLOGICAL COMMUNITIES

Prepared 31 MAR 1999 by NY Natural Heritage Program, NYS DEC, Latham, New York.

Records with a PRECISION value of "U" are known to be in a location which may be impacted by the proposed action. Records with a PRECISION value of "M" may possibly occur within the project area in appropriate habitat. This report contains SENSITIVE information which should be treated in a sensitive manner -- Please see cover letter.

REFER TO THE USERS GUIDE FOR EXPLANATIONS OF CODES, RANKS, AND FIELDS.

LOCATION	SCIENTIFIC NAME & Common Name	NY LEGAL STATUS & HERITAGE RANK	FEDERAL STATUS	PRECISION & ACRES	EORANK & LAST SEEN	GENERAL HABITAT AND QUALITY	TOWN(S) & DETAILED LOCATION	USGS TOPO QUAD LAT & LONG	OFFICE USE
LIMESTONE WOODLAND		UNPROTECTED		S 22 AB	1988	OPEN CANOPY DECIDUOUS WOODS (LIMESTONE WOODS) ON STEEP SW-FACING SLOPES OF SKENE MT. OVERLOOKING VILLAGE OF WHITEHALL. TERRAIN IS ROCKY-COBBLE WITH EXPOSED LEDGES (LIMESTONE). SOME ACTIVE LANDSLIDES AND TALUS AREAS. SUMMIT GLADES ON TOP OF MOUNTAIN. UPPER GLADES ARE DRIER AND CONTAIN XERIC SHRUBS. LARGE, GOOD OCCURRENCE WITH ONLY MINOR DISTURBANCE.	WHITEHALL. SW FACE OF SKENE MT ON STEEP ROCK OUTCROPS.	WHITEHALL 43 33 12 N 73 23 44 W	4307354 11
COMMUNITY		G3G4 S2S3							

* WHITEHALL

CUSCUTA CEPHALANTHI Button-bush dodder	UNPROTECTED	M	H	XXXX		WHITEHALL. WHITEHALL.	WHITEHALL	43 33 37 N 73 24 10 W	4307354 12
VASCULAR PLANT	G5 S1								
LACTUCA HIRSUITA Downy lettuce	UNPROTECTED	M	H	XXXX		WHITEHALL. WHITEHALL.	WHITEHALL	43 32 21 N 73 22 57 W	4307354 30
VASCULAR PLANT	G4? S1								

FEDERAL STATUS (plants and animals): The categories of federal status are defined by the United States Department of the Interior as part of the 1974 Endangered Species Act (see Code of Federal Regulations 50 CFR 17). The species listed under this law are enumerated in the Federal Register vol. 50, no. 188 pp. 39526 - 39527.

(blank) = No Federal Endangered Species Act status.

LE = The taxon is formally listed as endangered.

LT = The taxon is formally listed as threatened.

LELT = The taxon is formally listed as endangered in part of its range and threatened in other parts.

PE = The taxon is proposed as endangered.

PT = The taxon is proposed as threatened.

C1 = Candidate, category 1 - There is sufficient information to list the taxon as endangered or threatened.

C2 = Candidate, category 2 - The taxon may be appropriate for listing but more data are needed.

3A = The taxon considered extinct by the U. S. Fish and Wildlife Service (USFWS).

3B = The taxon is no longer considered taxonomically distinct by the USFWS and thus is not appropriate for listing.

3C = The taxon has been shown to be more abundant, widespread, or better protected than previously thought and therefore not in need of official listing.

* = The taxon is possibly extinct.

** = The taxon is thought to be extinct in the wild but extant in cultivation.

Additional codes:

(C2NL) = Heritage code indicating that the taxon is a candidate in some areas, not listed in other areas.

(E/SA) = Heritage code indicating that the taxon is endangered because of similarity of appearance to other endangered species or subspecies.

FEDERAL STATUS (ecological communities): At this time there are no federal status categories defined for ecological communities.

GLOBAL AND STATE RANKS (animals, plants, ecological communities and others): Each element has a global and state rank as determined by the NY Natural Heritage Program. These ranks carry no legal weight. The global rank reflects the rarity of the element throughout the world and the state rank reflects the rarity within New York State. Intraspecific taxa are also assigned a taxon rank to reflect the intraspecific taxon's rank throughout the world.

GLOBAL RANK:

G1 = Critically imperiled globally because of extreme rarity (5 or fewer occurrences), or very few remaining acres, or miles of stream) or especially vulnerable to extinction because of some factor of its biology.

G2 = Imperiled globally because of rarity (6 - 20 occurrences, or few remaining acres, or miles of stream) or very vulnerable to extinction throughout its range because of other factors.

G3 = Either rare and local throughout its range (21 to 100 occurrences), or found locally (even abundantly at some of its locations) in a restricted range (e.g. a physiographic region), or vulnerable to extinction throughout its range because of other factors.

G4 = Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5 = Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

GH = Historically known, with the expectation that it might be rediscovered.

GX = Species believed to be extinct.

GU = Status unknown.

STATE RANK:

S1 = Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York State.

S2 = Typically 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrably making it very vulnerable in New York State.

S3 = Typically 21 to 100 occurrences, limited acreage, or miles of stream in New York State.

S4 = Apparently secure in New York State.

S5 = Demonstrably secure in New York State.

SH = Historically known from New York State, but not seen in the past 15 years.

SX = Apparently extirpated from New York State.

SA = Accidental or casual in the state.

SE = Exotic, not native to New York State.

SP = Element potentially occurs in the state but there are no occurrences reported.

SR = Reported in the state but without persuasive documentation.

SU = Status unknown.

TAXON (T) RANK: The T-ranks (T1 - T5) are defined the same way the Global ranks (G1 - G5) are but the T-rank only refers to the rarity of the subspecific taxon of the species as a whole.

T1 through T5 = See Global Rank definitions above.

Q = Indicates a question exists whether or not the taxon is a good taxonomic entity.

? = Indicates a question exists about the rank.

OFFICE USE: Information for use by the Natural Heritage Program.

SIGNIFICANT HABITAT DATABASE REPORTS (Use of this database is slowly being discontinued as the data is integrated into Heritage databases)

REPORT ID: Significant habitat file code.

NAME OF AREA: Site name where the significant habitat is located.

TYPE OF AREA: Type of significant habitat.

COUNTY/TOWN OR CITY: County and town where the significant habitat is located.

QUADRANGLE: Name of the USGS 7.5 minute topographic map where the significant habitat is located.

LATITUDE: Latitude coordinate (degrees, minutes, seconds) for the location of the significant habitat.

LONGITUDE: Longitude coordinate for the location of the significant habitat.

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL PERMITS REGIONAL OFFICES**

<u>REGION</u>	<u>COUNTIES</u>	<u>NAME</u>	<u>ADDRESS AND PHONE NO.</u>
Region 1	Nassau Suffolk	Robert Greene Permit Administrator	Loop Road, Bldg. 40 SUNY Stony Brook, NY 11790-2356 (516) 444-0365
Region 2	New York City	George Danskin Permit Administrator	Hunters Point Plaza 4740 21st Street Long Island City, NY 11101-5407 (718) 482-4997
Region 3	Dutchess Orange Putnam Rockland, Sullivan Ulster, Westchester	Margaret Duke Permit Administrator	21 South Putt Corners Road New Paltz, NY 12561-1696 (914) 256-3059
Region 4	Albany Columbia Delaware Greene, Montgomery, Otsego Rensselaer, Schenectady, Schoharie	William J. Clarke Permit Administrator	1150 N. Westcott Road Schenectady, NY 12306-2014 (518) 357-2234
Region 5	Clinton Essex Franklin Fulton, Hamilton Saratoga, Warren, Washington	Richard Wild Permit Administrator	Route 86 Ray Brook, NY 12977 (518) 897-1234
Region 6	Herkimer Jefferson Lewis Oneida, St. Lawrence	Randy Vaas Permit Administrator	State Office Building 317 Washington Street Watertown, NY 13601 (315) 785-2246
Region 7	Broome Cayuga Chenango Cortland, Madison, Onondaga Oswego, Tioga, Tompkins	Ralph Manna, Jr. Permit Administrator	615 Erie Blvd. West Syracuse, NY 13204-2400 (315) 426-7439
Region 8	Chemung Genesee Livingston Monroe, Ontario, Orleans Schuyler, Seneca, Steuben Wayne, Yates	Albert Butkas Permit Administrator	6274 East Avon-Lima Road Avon, NY 14414 (716) 226-2466
Region 9	Allegany Cattaraugus Chautauqua Erie, Niagara, Wyoming	Steven Doleski Permit Administrator	270 Michigan Avenue Buffalo, NY 14203-2999 (716) 851-7165

APPENDIX B
Environmental Assessment Form

**Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM**

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance. The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE - Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Village of Whitehall Local Waterfront Revitalization Program
Name of Action

Name of Lead Agency

Patricia Norton
Print or Type Name of Responsible Officer
in Lead Agency

Mayor, Village of Whitehall
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from
responsible officer)

Date

PART 1 - PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is available, so indicate and specify each instance.

NAME OF ACTION Village of Whitehall Local Waterfront Revitalization Program		
LOCATION OF ACTION (Include Street Address, Municipality and County) Village of Whitehall		
NAME OF APPLICANT/SPONSOR Mayor Patricia Norton		BUSINESS TELEPHONE (518) 499-0871
ADDRESS 1 Saunders Street, PO Box 207		
CITY/PO Whitehall		STATE ZIP CODE NY 12887
NAME OF OWNER (if different)		BUSINESS TELEPHONE ()
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION Preparation of a Local Waterfront Revitalization Program for the Village of Whitehall, NY Please Complete Each Question - Indicate N.A. if not applicable		

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
Forest Agriculture Other

2. Total acreage of project area: 4.7 Square miles.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>40,946</u> acres	<u>40,946</u> acres
Forested	<u>102,366</u> acres	<u>102,366</u> acres
Agricultural (includes orchards, cropland, pasture, etc.)	<u>10,236</u> acres	<u>10,236</u> acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	<u>10,236</u> acres	<u>10,236</u> acres
Water Surface Area	<u>10,236</u> acres	<u>10,236</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>30,710</u> acres	<u>30,710</u> acres
Other (Indicate type)	<u>0</u> acres	<u>0</u> acres

3. What is predominant soil type(s) on project site? Varied
- a. Soil drainage: Well drained 80% of site Moderately well drained 15% of site
Poorly drained 5% of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? ± 40 acres.
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? 0-20 (feet)
5. Approximate percentage of proposed project site with slopes: 0-10% 50% 10-15% 20%
 15% or greater 30%
6. Is project substantially contiguous to, or contain a building site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? 0-50 (feet)
9. Is site located over a primary, principal, or sole aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to NY Natural Heritage Program
Identify each species: Canadian single-spike hedge, wiry panic grass, button-bush dodder, downy lettuce.
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: Wood Creek, East River
a. Name of Stream and name of River to which it is tributary Champlain Canal
16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name Lake Champlain, South Bay b. Size (In acres) unknown
17. Is the site served by existing public utilities? Yes No
a) If yes, does sufficient capacity exist to allow connection? Yes No
b) If yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B.PROJECT DESCRIPTION

1. Physical dimensions and scale of project (fill in dimensions as appropriate) NA
 - a. Total contiguous acreage owned or controlled by project sponsor _____ acres.
 - b. Project acreage to be developed: _____ acres initially; _____ acres ultimately.
 - c. Project acreage to remain undeveloped _____ acres.
 - d. Length of project, in miles: _____ (if appropriate)
 - e. If the project is an expansion, indicate percent of expansion proposed _____ %;
 - f. Number of off-street parking spaces existing _____; proposed _____.
 - g. Maximum vehicular trips generated per hour _____ (upon completion of project)?
 - h. If residential: Number and type of housing units: _____

	One Family	Two Family	Multiple Family	Condominium
Initially	_____	_____	_____	_____
Ultimately	_____	_____	_____	_____

 - i. Dimensions (in feet) of largest proposed structure _____ height; _____ width; _____ length.
 - j. Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.
2. How much natural material (i.e., rock, earth, etc) will be removed from the site? NA tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No NA
 - a. If yes, for what intended purpose is the site being reclaimed? _____
 - b. Will topsoil be stockpiled for reclamation? Yes No
 - c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? NA acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No
6. If single phase project: Anticipated period of construction NA months, (including demolition).
7. If multi-phased: NA
 - a. Total number of phases anticipated _____ (number).
 - b. Anticipated date of commencement Phase 1 _____ month _____ year, (including demolition).
 - c. Approximate completion date of final phase _____ month _____ year.
 - d. Is Phase 1 functionally dependent on subsequent phases? _____ Yes _____ No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 0; after project is complete 0
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? Yes No
If yes explain _____
12. Is surface liquid waste disposal involved? Yes No
 - a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
 - b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____

15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
 a. If yes, what is the amount per month _____ tons.
 b. If yes, will an existing solid waste facility be used? Yes No
 c. If yes, give name _____; location _____
 d. Will any wastes **not go** into a sewage disposal system or into a sanitary landfill? Yes No
 e. If yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
 a. If yes, what is the anticipated rate of disposal? _____ tons/month.
 b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
 If yes, indicate type(s) _____
22. If water supply is from wells, indicate pumping capacity _____ NA _____ gallons/minute.
23. Total anticipated water usage per day _____ 0 _____ gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
 If Yes, explain Department of State Coastal Resources Local Waterfront Revitalization Program Grant
25. Approvals Required:

	Type	Submittal Date
City, Town, <u>Village Board</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>Adoption of LWRP</u>	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	_____
City, County Health Department	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	_____
Other Local Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	_____
Other Regional Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	_____
<u>State Agencies</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>Approval of LWRP</u>	_____
Federal Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	_____

C. ZONING AND PLANNING INFORMATION

- 1. Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
zoning amendment zoning variance special use permit subdivision site plan
new/revision of master plan resource management plan other adoption of LWRP
- 2. What is the zoning classification(s) of the site? Light Industrial, Commercial, Planned Residential, Recreation/Park, Residential A & B, Viewshed, Wetland.
- 3. What is the maximum potential development of the site if developed as permitted by the present zoning?
NA
- 4. What is the proposed zoning of the site? No change proposed
- 5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
NA
- 6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
- 7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

- 8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No
- 9. If the proposed action is the subdivision of land, how many lots are proposed? NA
 a. What is the minimum lot size proposed? _____
- 10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- 11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- 12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures, which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2 - PROJECT IMPACTS AND THEIR MAGNITUDE
Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read Carefully)

- a. Answer each of the 19 questions in PART 2. Answer **Yes** if there will be any impact.
- b. Maybe answers should be considered **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in PART 3.

IMPACT ON LAND

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
1. Will the proposed action result in a physical change to the project site? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		-	_Yes _No
Examples that would apply to column 2			
● Any construction on slopes of 15% or great, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	-	-	_Yes _No
● Construction on land where the depth to the water table less than 3 feet.	-	-	_Yes _No
● Construction of paved parking area for 1,000 or more vehicles.	-	-	_Yes _No
● Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	-	-	_Yes _No
● Construction that will continue for more than 1 year or involve more than one phase or stage.	-	-	_Yes _No
● Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	-	-	_Yes _No
● Construction or expansion of a sanitary landfill.	-	-	_Yes _No
● Construction in a designated floodway.	-	-	_Yes _No
● Other impacts _____	-	-	_Yes _No
2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		-	_Yes _No
● Specific land forms: _____	-	-	_Yes _No

1. Will the proposed action result in a physical change to the project site? Yes No

Examples that would apply to column 2

- Any construction on slopes of 15% or great, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) Yes No

● Specific land forms: _____

- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES

12. Will proposed Action impact any site or structure of historic, prehistoric or paleontological importance?
 Yes_ No

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites from study conducted by the Municipality.
- Other impacts: _____

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed action affect the quantity or quality of existing or future open spaces or recreational opportunities?
 Yes_ No

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts: _____

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area(CEA) established pursuant to subdivision 6 NYCRR 617.14(g)?
 Yes_ No

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
--	--	_Yes _No
--	--	_Yes _No
--	--	_Yes _No
--	--	_Yes _No
--	--	_Yes _No
--	--	Yes _No
--	--	Yes _No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will proposed action affect the character of the existing community? Yes_ No

Examples Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
—	—	_Yes _No
—	—	_Yes _No
—	—	_Yes _No
—	—	Yes No
—	—	_Yes _No
—	—	_Yes _No
—	—	_Yes _No
	—	Yes No
—	—	_Yes _No

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? Yes_ No

If Any Action in Part 2 is Identified as a Potential Large Impact or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3

PART 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(continue on attachments)

APPENDIX C
Design Guidelines

DESIGN GUIDELINES

A. Integration of Procedures

The following standards are recommended to be included as part of any effort to revise the Zoning Ordinance. Whenever the particular circumstances of the proposed development require compliance with other requirements of the Village, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this section with the procedural and submission requirements for such other compliance.

B. Applicable Design Standards

All development and redevelopment in the Village must meet the following standards:

1. Overall Design

While various land use elements (e.g. commercial, residential, recreational, water-dependent, industrial) will comprise the land area within the Village, uses must be complementary and provide for visual and physical access to the Champlain Canal and South Bay whenever possible. Development must also encourage an economic stimulus and revitalization of the Village. All new projects and redevelopment projects must be consistent with the Village's Local Waterfront Revitalization Program.

2. Relationship to Champlain Canal and South Bay

All elements of proposed projects within the Village shall be sensitive to the unique and important relationship to Champlain Canal and South Bay all land should be developed in such a way as to maximize views to the lake and canal.

3. Architectural Design Standards

The following standards are not intended to restrict imagination, innovation or variety, but rather focus on design principles that will result in creative solutions and quality designs that relate the project to its surroundings and foster economic revitalization.

The purpose of these design standards is to afford a priority to waterfront compatible, well-designed uses, achieve public access to the waterfront.

The following architectural design standards shall apply to the Village:

- Appropriate architectural scale, form, and material shall be utilized to ensure that buildings and structures are compatible with and add interest to the landscape. More specifically, the design and improvement of all structures is to be compatible with that of the surrounding structures and neighborhoods. Compatibility shall be determined by a review of proposed: (1) use of materials; (2) scale; (3) mass; (4) height; (5) color; (6) texture; and (7) location of the structures on the site, as applicable and appropriate.
- The various elements of the project shall be integrated by cohesive architectural treatment and compatible design. Buildings shall be designed and improved in consideration of appearance from all vantagepoints; both within and outside of the Village.
- Architectural elements shall be used to provide visual interest, reduce apparent scale of the development, and promote integration of the various design elements in the project.
- Groups of related buildings shall be designed to present a compatible appearance in terms of architectural style and building materials.
- Building lines shall be varied to the extent practical in order to provide an interesting interplay of buildings and open spaces.
- Appurtenances on buildings and auxiliary structures, such as mechanical equipment, garages, or storage buildings, shall receive architectural treatment consistent with that of principal buildings.
- When replacing windows on a façade, a window of the same trim size and character as the original should be used.
- In renovations, natural, unpainted brick should be retained. Already painted brick, if weathered and losing its paint finish, can be stripped using chemical solutions. If necessary to protect older, softer brick, painted brick should remain painted.
- Façade renovations should not destroy or cover original details on a building.
- Colors shall be harmonious and only compatible accents shall be used.
- Brick and stone facades should not be covered with artificial siding or panels.
- Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures shall be taken for protection against weather, neglect, damage and abuse.

4. Landscaping, Screening and Buffering

- All sidewalks, open spaces, parking areas, and other similar service areas shall be landscaped and/or paved in a manner, which will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc., will be attractive, durable, easily maintained and compatible with the exterior of adjacent buildings.
- The planning board may require buffer landscaping, fencing or screening, to separate different types of land uses and to screen utility buildings, refuse collection areas, cooling systems, and other similar installation and features.
- All plants, trees, and shrubs shall be installed in accordance with a planting schedule provided by the applicant and approved by the planning board. Landscape materials selected shall be appropriate to the growing conditions of the environment of the Village, this climatic zone, and native species.

5. Lighting

Drives, walkways, and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. All exterior lighting for the project shall be directed downward or otherwise appropriately shielded and designed to minimize excessive light. It shall have an attractive appearance, compatible with the overall project design and waterfront character. Lighting type, number, and locations shall be subject to Planning Board review and approval as part of the site plan review.

6. Signage

All signs shall be subject to Planning Board review and approval as part of site plan/building plan review.

All signs shall be of a size and scale as determined appropriate by the Planning Board to accomplish their intended purpose. At a minimum, proposed signage shall comply with the standards for different types of land uses identified Whitehall Zoning Regulations. Signs should complement the architectural style and scale of the building. Signs should be compatible with adjacent premises, and graphic elements shall be held to the minimum needed to convey the sign's major message.

7. Vehicular Circulation System and Traffic Access

In general, the rights-of-way and pavement widths for all internal streets, drives, walks and other accessways for vehicles and/or pedestrians shall be determined on the basis of sound current planning and engineering standards, shall be planned and built so as to promote safety and efficiency of movement, shall accommodate projected demand, and shall minimize impervious surfaces and paving materials to the maximum extent possible.

8. Public Access to Waterfront

While waterfront development will require certain private elements for the security and benefit of its residents and property owners, new development should provide pedestrian waterfront public access in a manner which:

- Enhances existing public access opportunities at the riverfront, in furtherance of the Village's LWRP and the State's Coastal Policies;
- Coordinates such public access with existing or anticipated opportunities for public access on adjacent public lands to facilitate further linkages in a continuous trailway system; and
- Provides meaningful, permanent public access to the Champlain Canal and South Bay in the form of safe and unobstructed access to and along the dry shore areas of the Champlain Canal and South Bay for all members of the public for purposes of providing a public access system to and along the waterfront and/or public rights-of-way.

Access may be regulated by reasonable conditions in a management plan submitted by the applicant and approved by the Planning Board as part of the final site plan approval.

9. Off-Street Parking and Loading

- Off-street parking and loading areas shall be designed with careful regard to their relationship to the uses served and to the objectives for other open spaces. The areas shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks. In addition, all parking areas shall be designed to include provisions for handicapped parking.
- Parking and loading facilities not enclosed in structures shall be suitable landscaped and/or screened as determined appropriate by the Planning Board.

- The number of off-street parking spaces required shall be as set forth below and shall be applicable only to those uses in the Village:

Use	Minimum Off-Street Parking Requirement
One-family, two-family Multi-family dwelling	One (1) space per unit plus one-half (1/2) space per bedroom.
Marina	One-half (1/2) space per slip or dry rack storage facility.
Retail or service business	One (1) space for each 200 square feet of gross floor areas, excluding basement storage utility areas.
Restaurant	One (1) space for each three (3) patron seats or one (1) space for each 75 square feet of gross floor areas, whichever is greater.
Office for business or professional use	One (1) space for each 250 square feet of gross floor area.
Auditorium, community building, club	One (1) for each 200 square feet of area occupied by all principal uses or structures.
Hotel, motel, bed and breakfast facility	One (1) for each guest room.

- With respect to any building, structure, or use for which the required number of parking spaces is not specifically set forth in the above schedule, the Planning Board in the course of site plan review shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation to the minimum off-street parking requirements for specified uses as set forth in the above schedule. In addition, all parking areas shall be designed to include provisions for handicapped parking.
- Up to thirty percent (30%) of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards determined by the Planning Board.
- New marina projects must incorporate best management practices in their design, including but not limited to the following:
 - Maximize pervious land surface and vegetative cover to minimize stormwater runoff and to prevent polluted waters from reaching adjacent waters and wetlands. Direct runoff away from adjacent waters and wetlands to the extent feasible by site grading or other methods.

- Treat runoff from parking lots, maintenance, fueling, and washdown areas in a manner that prevents oils, grease, and detergents from reaching adjacent waters. Accepted treatment methods include oil and grease filtering catch basins, retention areas and exfiltration systems.
- Alternative methods of meeting off-street parking requirements in the Village:
 - The Village encourages a mix of land uses, wherein the cumulative parking demand is less than the sum of the peak demand values for each individual land use. This makes it possible to share parking without conflict and to avoid a large surplus of parking spaces in the waterfront area.

Also, because of the special nature and value of land along the waterfront, and because of the anticipated mix of land uses, alternative parking solutions, such as parking incorporated into buildings, valet parking, off-site parking, etc., may, in certain situations, also be appropriate.

- The Planning Board shall be authorized to find that any portion of the off-street parking requirements of a Village development have been satisfied when the applicant establishes to the Board's satisfaction that alternative parking solutions are appropriate and will provide adequate parking for the project. If an applicant wishes to use alternative parking methods, the applicant must submit an analysis to the Planning Board for review. This analysis must include estimate of peak parking demands for different land uses for different hours of the day and days of the week. It shall also define strategies intended to incorporate alternative parking methods and the advantages of such strategies.
- Off-street loading shall be provided, as the Planning Board may find appropriate and necessary.

10. On-Site Utilities and Services

- All development shall be served by public water supply and sewage systems.
- All on-site television, power and communication lines, as well as on-site water, sewer, and storm drainage lines, shall be installed underground in the manner prescribed by the regulations of the government agency or utility company having jurisdiction. Any utility equipment, which will necessarily be located above ground, shall be adequately screened from view in an attractive manner.

11. Building Height and Setback Requirements in the Village

- No portion of a building or structure shall be erected within fifty (50) feet of the Champlain Canal and South Bay except for a marina building, marine fuel service building or dock, a marina's service building requiring direct connection to the waterfront to service boats, or other similar water-dependent uses. Such buildings shall not exceed fifteen (15) feet in height.
- Beyond fifty (50) feet from the Champlain Canal and South Bay, no portion of a building or structure shall be erected to a height in excess of thirty-five (35) feet.

APPENDIX D

Standards for Docks on the Canal System

**NEW YORK STATE THRUWAY AUTHORITY/
NEW YORK STATE CANAL CORPORATION**

**STANDARDS FOR DOCKS
ON THE CANAL SYSTEM**



NEW YORK STATE CANAL CORPORATION

MAY 2001

BUREAU OF MANAGEMENT ANALYSIS AND PLANNING

TAP-915 (05/01)

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STANDARDS FOR DOCKS ON THE CANAL SYSTEM

I. INTRODUCTION

Section 100 of the Canal Law authorizes the Canal Corporation to "issue revocable permits granting certain limited privileges therein, whenever the same can be done without detriment to Canal navigation or damage to the banks or other structures thereof." The purpose of this document (the "Standards") is to provide specific standards for docks on the Canal System.

II. APPLICATION

The Standards shall apply to residential/non-commercial docks, which can accommodate four or fewer boats, each of which shall not exceed 40 feet in length, with a maximum dock length of 100 feet.

Commercial docks, as well as docks larger than the size standard established above, will be analyzed on a case-by-case basis.

The Standards apply to the Erie, Champlain, Oswego and Cayuga/Seneca Canals (i.e., the areas under Canal Corporation jurisdiction). Docks on reservoirs and feeder canals will be considered by the Canal Corporation on a case-by-case basis.

Any new dock installations or extensions to current docks will require a work permit.

III. STANDARDS

A. NAVIGATION

No dock shall interfere with Canal navigation, by either physically impeding navigation or obstructing the vision of boaters traveling on the Canal System.

1. Minimum offset from edge of navigation channel (bottom angle):
 - a. River section: 50 feet minimum offset.
 - b. Land cut section: 24 feet minimum offset (16 feet clear area plus 8 feet nominal boat width). Where a 24 feet offset is physically impossible, a dock with 4 feet maximum projection from the shoreline is allowable.
 - c. On curved sections of the Canal, the Canal Corporation may require greater offsets than the offsets set forth in a. and b., to account for sight distance or vessel maneuverability considerations. The Division Canal Engineer may designate certain limited areas where docks are prohibited for navigation reasons.

STANDARDS FOR DOCKS ON THE CANAL SYSTEM

2. Docks shall be parallel to shore in land cut areas.
3. Docks shall be at least 50 feet from Canal Corporation navigation aids.
4. Docks and moored boats shall not hinder boaters' views of navigation aids or structures on the Canal System.
5. Protection of the dock and moored boats from passing boat wakes is the permittee's responsibility. Boats shall not be moored on the outer (Canal) side of wake protection devices.
6. Docks and slips shall have their design approved by the Division Canal Engineer. A standard approved dock design is attached as Appendix A.
7. Excavated slips are not permitted where:
 - a. The Canal is in an embankment section;
 - b. An unstable or unsafe condition would be created; or
 - c. The Division Canal Engineer determines that there is insufficient Canal Right-of-Way, or a future trail would be impeded.
8. No dock installation will be permitted which may impair the integrity of an embankment.
9. Slips, cuts, etc., must be lined with stone bank protection, riprap, or other method for protection against erosion and wave action as approved by the Canal Corporation.

B. GENERAL

1. One dock per property owner (residential) is permitted. More than one dock shall be treated as a commercial dock installation.
2. Docks and decks shall not restrict access (e.g., for trails, maintenance or operations) across Canal lands.
3. Docks shall be set back at least 10 feet from property lines of adjacent upland owners. Extensions of property lines across Canal Corporation property to the water shall be as determined by the Canal Corporation.
4. No new boathouses will be permitted.
5. Covered slips may have a roof only – no sides are permitted.

STANDARDS FOR DOCKS ON THE CANAL SYSTEM

6. Excavated slips, where permitted, shall be no larger than 1,000 sq. feet.
7. All electrical and plumbing services to docks, slips and decks shall meet all applicable local, state and federal codes.
8. No enclosed storage shall be permitted on docks or decks.
9. Flotation devices for docks shall be foam blocks, pontoons or other material manufactured specifically for flotation. Metal barrels, drums, or other containers that are not specifically made for flotation are prohibited.
10. Retaining walls, when a part of a dock request, shall be constructed of stone, concrete blocks, poured concrete or other materials acceptable to the Canal Corporation. Railroad ties, vehicle tires, creosote timbers, guide railing, and asphalt are not permitted.

C. ENVIRONMENTAL

1. Any dock with more than four boat moorings or 100 linear feet of dockage will require an independent environmental review under the State Environmental Quality Review Act (SEQRA).
2. No creosote or pentachlorophenol shall be allowed.
3. Slips or other excavations shall require a letter of no effect from the State Historic Preservation Office before permit issuance.
4. Slips or other excavations will require appropriate sampling and disposal of materials as directed by the Canal Corporation.
5. Fills are prohibited within the limits of an established floodway, flowage easement or flood plain, unless mitigation measures approved by the Canal Corporation and all other appropriate state and federal agencies are included.

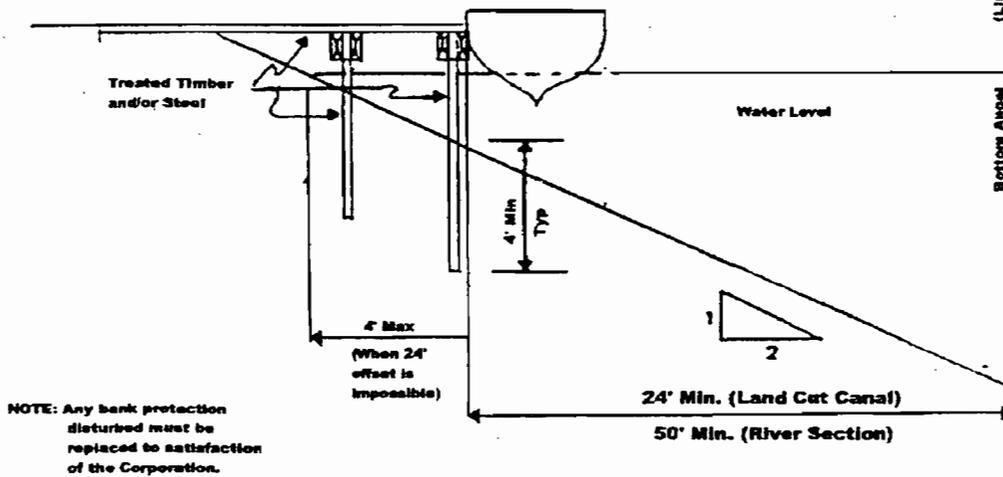
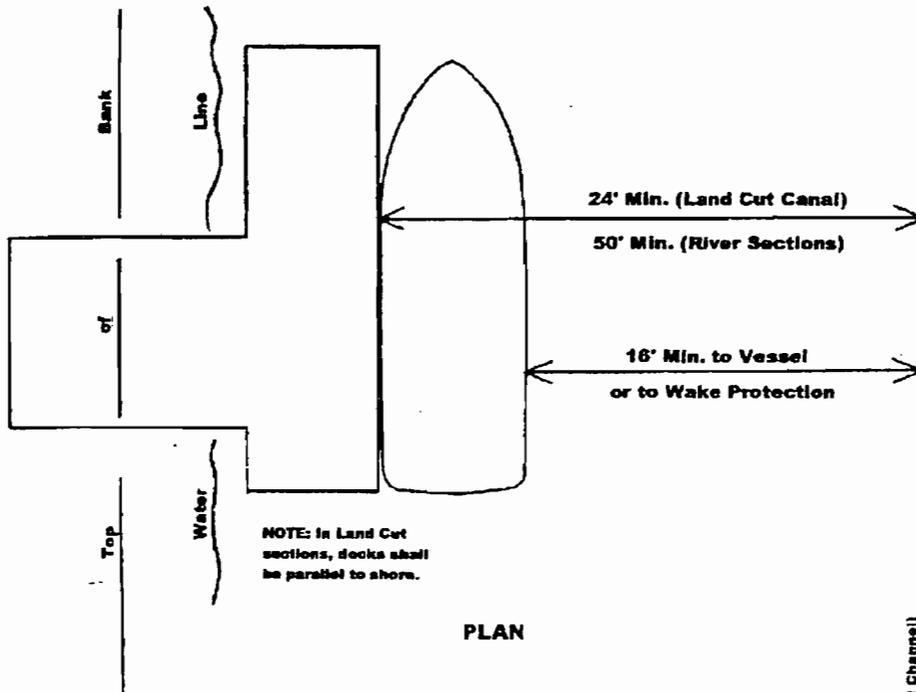
STANDARDS FOR DOCKS
ON THE CANAL SYSTEM

IV. APPENDIX

APPENDIX A

(Reduced from Sheet Size 8-1/2" x 11")

APPENDIX A - DOCK ALONG CANAL



V. DISTRIBUTION

Executive Director
Deputy Executive Director
Department Heads
Deputy General Counsel
Chief Assistant Counsel, Legal Services
Assistant Counsels, Legal Services (4)
Director of Human Resource Management
Director of Labor Relations
Director of Investments and Asset Management
Supervisor of the Bureau of Real Property Management
Director of Design
Director of Canal Design
Director of Canals Maintenance and Operations
Canals Administrative Officer
Supervisor, Canal Engineering and Capital Program
Director of the Bureau of Environmental Management and Historic Preservation
Director of Canal Development
Director of Canal Marketing
Director of Canal Policy Implementation
Division Directors
Division Canal Engineers
Division Canal Section Superintendents
Division Canal Permit Coordinators
Division Canal Right-of-Way Agents

APPENDIX E

Village of Whitehall Waterfront Consistency Law

Village of Whitehall

Local Law No. _____ of the year of 2002

Be it enacted by the Board of Trustees of the Village of Whitehall as follows:

GENERAL PROVISIONS

I - Title

This local law will be known as the Village of Whitehall Waterfront Consistency Law.

II - Authority and Purpose

1. This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).
2. The purpose of this local law is to provide a framework for agencies of the Village of Whitehall 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; and to assure that such actions and direct actions are consistent with the said policies and purposes.
3. It is the intention of the Village of Whitehall that the preservation, enhancement and utilization of the natural and manmade resources of the unique waterfront area of the Village 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:
 - a. loss of fish and wildlife;
 - b. diminution of open space areas or public access to the waterfront;
 - c. erosion of shoreline;
 - d. losses due to flooding, erosion and sedimentation;
 - e. or permanent adverse changes to ecological systems.
1. 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 42 of the Executive Law of the State of New York.

III - Definitions

"Actions" means either Type I or unlisted actions as defined in SEQRA regulations (6N.Y.C.R.R.617.2) which are undertaken by an agency and which 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 or modified approvals from an agency or agencies

1. agency planning and policy-making activities that may affect the environment and commit the agency to a definite course of future decisions;

2. adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and

3. any combinations of the above.

"Agency" means any board, agency, department, office, other body, or officer of the Village of Whitehall.

"Waterfront Area" means the Waterfront Revitalization Area delineated in the Village's Local Waterfront Revitalization Program.

"Coastal Assessment Form (CAF)" means the form used by an agency to assist it in determining the consistency of an action with the Local Waterfront Revitalization Program.

"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.

"Direct Actions" mean actions planned or proposed for implementation by an agency, such as, but not limited to, a capital project, rule making, procedure making and policy making.

"Local Waterfront Revitalization Program (LWRP)" means the Local Waterfront Revitalization Program of the Village of Whitehall, 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 Clerk of the Village of Whitehall.

IV - Review of Actions

1. Whenever a proposed action is located in the Village's Waterfront 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 II herein.
2. Whenever an agency receives an application for approval or funding of an action or as early as possible in the agency's formulation of a direct action to be located in the Waterfront area, the applicant, or in the case of a direct action, the agency, shall prepare a Coastal Assessment Form (CAF) to assist with the consistency review.
3. The agency shall refer a copy of the completed CAF to the Village Planning Board within ten (10) days of its submission and prior to making its determination, shall consider the recommendation of the Village Planning Board with reference to the consistency of the proposed action.
4. After referral from an agency, the Village Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards and conditions set forth in Paragraph II herein. The Village Planning Board shall require the applicant to submit all completed applications, CAFs and any other information deemed to be necessary to its consistency recommendation.
5. The Village Planning Board shall render a written recommendation to the agency within thirty (30) days following referral of the CAF from the agency, unless extended by mutual agreement of the Planning Board and the applicant or in the case of a direct action, the agency. The recommendation shall indicate whether, in the opinion of the Village Planning Board, the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards or conditions and shall elaborate in writing the basis for the opinion.
6. The Village Planning Board shall, along with the consistency recommendation, make any suggestions to the agency concerning modification of the proposed action to make it consistent with the LWRP policy standards and conditions or to greater advance them.
7. In the event that the Village Planning Board's recommendation is not forthcoming within the specified time, the referring agency shall make its decision without the benefit of the Planning Board's recommendation.
8. If the agency and the Planning Board concur in the consistency of the proposed action, the agency may proceed with the action. In the event that the agency, after reviewing the written recommendation of the Board, finds that it disagrees with the consistency recommendation of the Planning Board, the agency shall within fifteen (15) days prepare a written finding detailing its position and transmit it to the Planning Board. The Planning Board and the agency shall meet to resolve their differences within fifteen (15) days of the Planning Board's receipt of the agency's finding.

9. If the Planning Board and the agency cannot reach a mutually agreeable determination of consistency, the matter will be referred to the Village Board of Trustees for a finding of consistency. The agency shall take no action until the Board of Trustees has made a determination and finding of consistency with the LWRP.
10. The provisions of IV (7) shall not apply to the Zoning Board of Appeals. Instead, where the Zoning Board of Appeals is the agency, the Zoning Board of Appeals shall consider the written consistency recommendation of the Planning Board when reviewing and considering an application for a variance.
11. 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 Village of Whitehall's LWRP, a copy of which is on file in the Office of Community Development and available for inspection during normal business hours. 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 policy to:
 - a. Revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other comparable uses.
 - b. Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.
 - c. Strengthen such harbors by maintaining the mix of traditional uses, assuring safe navigation and resolving use conflicts and competition through harbor and water surface use management.
 - d. Encourage the location of development in areas where public services and facilities essential to such development are adequate.
 - e. Significant fish and wildlife habitats will be protected, preserved, and, where practical, restored to maintain their viability as habitats.
 - f. In order to minimize damage to natural resources and property from flooding and erosion, development will be sited away from hazard areas wherever practical, and natural flooding and erosion protective features will not be degraded.
 - g. Erosion protection structures shall be constructed only if they are necessary to protect human life, existing development, or new water-dependent development and will result in no measurable increase in erosion of flooding at other locations. Non-structural measures shall be used whenever possible. Public funds shall only be used where the public benefits outweigh the long-term costs.
 - h. Maximize public access and recreational opportunities to the shoreline and to waterways.
 - i. Protect, enhance and restore structures, districts, and sites that are of significance to the history, architecture, archeology or culture of the state, its communities, or the nation.
 - j. Protect and improve the visual quality of the waterfront.
 - k. Municipal, industrial, and commercial discharge of effluent and pollutants, including, but not limited to, toxic and hazardous substances, into water bodies will conform to state and national water quality standards.

- l. Policies and management objectives of approved Local Waterfront Revitalization Programs will be considered while reviewing water body classifications and while modifying water quality standards; however, those waters already overburdened with containments will be recognized as being a development constraint.
 - m. Best management practices will be used to ensure the control of stormwater runoff, combined sewer overflows, and the non-point discharge of excess nutrients, organics, and eroded soils into state waterways.
 - n. Discharge of waste materials into state waters from vessels subject to state jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas, and water supplies.
 - o. Excavation, dredging, and dredge spoil disposal will be undertaken in a manner which protects fish and wildlife habitats, scenic resources, natural protective features, important agricultural land, and wetlands, and does not cause an increase in the erosion of such land.
 - p. Preserve and protect wetlands and the benefits derived from these resources.
1. If the agency determines that the 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:
 - a. no reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policy standards and conditions;
 - b. the action would be undertaken in a manner which will minimize all adverse effects on such LWRP policy standards and conditions;
 - c. the action will advance one or more of the other LWRP policy standards and conditions; and
 - d. the action will result in an over-riding village, regional or state-wide public benefit.
 1. Such a finding shall constitute a determination that the action is consistent with the LWRP policy standards and conditions.
 2. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Planning Board Administrator. Such files shall be made available for public inspection upon request.

V - Enforcement

1. The Village Building Inspector shall be responsible for enforcing this Chapter.
2. No work or activity on a project in the Coastal 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 consistent with the Village's LWRP policy standards and conditions.
3. In the event that an activity is not being performed in accordance with this Chapter or any conditions imposed thereunder, the 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

1. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this Chapter shall have committed a violation, punishable by a fine not exceeding five hundred dollars (\$500.00) for a conviction of a first offense and punishable by a fine of one thousand dollars (\$1,000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.
2. The Village's Counsel is authorized 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 or provision hereof other than the provision so found to be invalid.

VIII - Effective Date

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

DESIGN GUIDELINES

A. Integration of Procedures

The following standards are recommended to be included as part of any effort to revise the Zoning Ordinance. Whenever the particular circumstances of the proposed development require compliance with other requirements of the Village, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this section with the procedural and submission requirements for such other compliance.

B. Applicable Design Standards

All development and redevelopment in the Village must meet the following standards:

1. Overall Design

While various land use elements (e.g. commercial, residential, recreational, water-dependent, industrial) will comprise the land area within the Village, uses must be complementary and provide for visual and physical access to the Champlain Canal and South Bay whenever possible. Development must also encourage an economic stimulus and revitalization of the Village. All new projects and redevelopment projects must be consistent with the Village's Local Waterfront Revitalization Program.

2. Relationship to Champlain Canal and South Bay

All elements of proposed projects within the Village shall be sensitive to the unique and important relationship to Champlain Canal and South Bay all land should be developed in such a way as to maximize views to the lake and canal.

3. Architectural Design Standards

The following standards are not intended to restrict imagination, innovation or variety, but rather focus on design principles that will result in creative solutions and quality designs that relate the project to its surroundings and foster economic revitalization.

The purpose of these design standards is to afford a priority to waterfront compatible, well-designed uses, achieve public access to the waterfront.

The following architectural design standards shall apply to the Village:

- Appropriate architectural scale, form, and material shall be utilized to ensure that buildings and structures are compatible with and add interest to the landscape. More specifically, the design and improvement of all structures is to be compatible with that of the surrounding structures and neighborhoods. Compatibility shall be determined by a review of proposed: (1) use of materials; (2) scale; (3) mass; (4) height; (5) color; (6) texture; and (7) location of the structures on the site, as applicable and appropriate.
- The various elements of the project shall be integrated by cohesive architectural treatment and compatible design. Buildings shall be designed and improved in consideration of appearance from all vantagepoints; both within and outside of the Village.
- Architectural elements shall be used to provide visual interest, reduce apparent scale of the development, and promote integration of the various design elements in the project.
- Groups of related buildings shall be designed to present a compatible appearance in terms of architectural style and building materials.
- Building lines shall be varied to the extent practical in order to provide an interesting interplay of buildings and open spaces.
- Appurtenances on buildings and auxiliary structures, such as mechanical equipment, garages, or storage buildings, shall receive architectural treatment consistent with that of principal buildings.
- When replacing windows on a façade, a window of the same trim size and character as the original should be used.
- In renovations, natural, unpainted brick should be retained. Already painted brick, if weathered and losing its paint finish, can be stripped using chemical solutions. If necessary to protect older, softer brick, painted brick should remain painted.
- Façade renovations should not destroy or cover original details on a building.
- Colors shall be harmonious and only compatible accents shall be used.
- Brick and stone facades should not be covered with artificial siding or panels.
- Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures shall be taken for protection against weather, neglect, damage and abuse.

4. Landscaping, Screening and Buffering

- All sidewalks, open spaces, parking areas, and other similar service areas shall be landscaped and/or paved in a manner, which will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc., will be attractive, durable, easily maintained and compatible with the exterior of adjacent buildings.
- The planning board may require buffer landscaping, fencing or screening, to separate different types of land uses and to screen utility buildings, refuse collection areas, cooling systems, and other similar installation and features.
- All plants, trees, and shrubs shall be installed in accordance with a planting schedule provided by the applicant and approved by the planning board. Landscape materials selected shall be appropriate to the growing conditions of the environment of the Village, this climatic zone, and native species.

5. Lighting

Drives, walkways, and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. All exterior lighting for the project shall be directed downward or otherwise appropriately shielded and designed to minimize excessive light. It shall have an attractive appearance, compatible with the overall project design and waterfront character. Lighting type, number, and locations shall be subject to Planning Board review and approval as part of the site plan review.

6. Signage

All signs shall be subject to Planning Board review and approval as part of site plan/building plan review.

All signs shall be of a size and scale as determined appropriate by the Planning Board to accomplish their intended purpose. At a minimum, proposed signage shall comply with the standards for different types of land uses identified Whitehall Zoning Regulations. Signs should complement the architectural style and scale of the building. Signs should be compatible with adjacent premises, and graphic elements shall be held to the minimum needed to convey the sign's major message.

7. Vehicular Circulation System and Traffic Access

In general, the rights-of-way and pavement widths for all internal streets, drives, walks and other accessways for vehicles and/or pedestrians shall be determined on the basis of sound current planning and engineering standards, shall be planned and built so as to promote safety and efficiency of movement, shall accommodate projected demand, and shall minimize impervious surfaces and paving materials to the maximum extent possible.

8. Public Access to Waterfront

While waterfront development will require certain private elements for the security and benefit of its residents and property owners, new development should provide pedestrian waterfront public access in a manner which:

- Enhances existing public access opportunities at the riverfront, in furtherance of the Village's LWRP and the State's Coastal Policies;
- Coordinates such public access with existing or anticipated opportunities for public access on adjacent public lands to facilitate further linkages in a continuous trailway system; and
- Provides meaningful, permanent public access to the Champlain Canal and South Bay in the form of safe and unobstructed access to and along the dry shore areas of the Champlain Canal and South Bay for all members of the public for purposes of providing a public access system to and along the waterfront and/or public rights-of-way.

Access may be regulated by reasonable conditions in a management plan submitted by the applicant and approved by the Planning Board as part of the final site plan approval.

9. Off-Street Parking and Loading

- Off-street parking and loading areas shall be designed with careful regard to their relationship to the uses served and to the objectives for other open spaces. The areas shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks. In addition, all parking areas shall be designed to include provisions for handicapped parking.
- Parking and loading facilities not enclosed in structures shall be suitable landscaped and/or screened as determined appropriate by the Planning Board.

- The number of off-street parking spaces required shall be as set forth below and shall be applicable only to those uses in the Village:

Use	Minimum Off-Street Parking Requirement
One-family, two-family Multi-family dwelling	One (1) space per unit plus one-half (1/2) space per bedroom.
Marina	One-half (1/2) space per slip or dry rack storage facility.
Retail or service business	One (1) space for each 200 square feet of gross floor areas, excluding basement storage utility areas.
Restaurant	One (1) space for each three (3) patron seats or one (1) space for each 75 square feet of gross floor areas, whichever is greater.
Office for business or professional use	One (1) space for each 250 square feet of gross floor area.
Auditorium, community building, club	One (1) for each 200 square feet of area occupied by all principal uses or structures.
Hotel, motel, bed and breakfast facility	One (1) for each guest room.

- With respect to any building, structure, or use for which the required number of parking spaces is not specifically set forth in the above schedule, the Planning Board in the course of site plan review shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation to the minimum off-street parking requirements for specified uses as set forth in the above schedule. In addition, all parking areas shall be designed to include provisions for handicapped parking.
- Up to thirty percent (30%) of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards determined by the Planning Board.
- New marina projects must incorporate best management practices in their design, including but not limited to the following:
 - Maximize pervious land surface and vegetative cover to minimize stormwater runoff and to prevent polluted waters from reaching adjacent waters and wetlands. Direct runoff away from adjacent waters and wetlands to the extent feasible by site grading or other methods.

- Treat runoff from parking lots, maintenance, fueling, and washdown areas in a manner that prevents oils, grease, and detergents from reaching adjacent waters. Accepted treatment methods include oil and grease filtering catch basins, retention areas and exfiltration systems.
- Alternative methods of meeting off-street parking requirements in the Village:
 - The Village encourages a mix of land uses, wherein the cumulative parking demand is less than the sum of the peak demand values for each individual land use. This makes it possible to share parking without conflict and to avoid a large surplus of parking spaces in the waterfront area.

Also, because of the special nature and value of land along the waterfront, and because of the anticipated mix of land uses, alternative parking solutions, such as parking incorporated into buildings, valet parking, off-site parking, etc., may, in certain situations, also be appropriate.

- The Planning Board shall be authorized to find that any portion of the off-street parking requirements of a Village development have been satisfied when the applicant establishes to the Board's satisfaction that alternative parking solutions are appropriate and will provide adequate parking for the project. If an applicant wishes to use alternative parking methods, the applicant must submit an analysis to the Planning Board for review. This analysis must include estimate of peak parking demands for different land uses for different hours of the day and days of the week. It shall also define strategies intended to incorporate alternative parking methods and the advantages of such strategies.
- Off-street loading shall be provided, as the Planning Board may find appropriate and necessary.

10. On-Site Utilities and Services

- All development shall be served by public water supply and sewage systems.
- All on-site television, power and communication lines, as well as on-site water, sewer, and storm drainage lines, shall be installed underground in the manner prescribed by the regulations of the government agency or utility company having jurisdiction. Any utility equipment, which will necessarily be located above ground, shall be adequately screened from view in an attractive manner.

11. Building Height and Setback Requirements in the Village

- No portion of a building or structure shall be erected within fifty (50) feet of the Champlain Canal and South Bay except for a marina building, marine fuel service building or dock, a marina's service building requiring direct connection to the waterfront to service boats, or other similar water-dependent uses. Such buildings shall not exceed fifteen (15) feet in height.
- Beyond fifty (50) feet from the Champlain Canal and South Bay, no portion of a building or structure shall be erected to a height in excess of thirty-five (35) feet.