

Village of Ossining Local Waterfront Revitalization Program

Adopted:
Village of Ossining Board of Trustees, July 2, 1991
Approved:
NYS Secretary of State Gail S. Shaffer, July 11, 1991
Concurred:
U.S. Office of Ocean and Coastal Resources Management, June 8, 1993

Adopted Amendment:
Village of Ossining Board of Trustees, March 16, 2011
Approved:
NYS Secretary of State César A. Perales, October 25, 2011
Concurred:
U.S. Office of Ocean and Coastal Resources Management, February 1, 2012

This Local Waterfront Revitalization Program (LWRP) has been prepared and approved in accordance with provisions of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42) and its implementing Regulations (19 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a routine program change has been obtained in accordance with provisions of the U.S. Coastal Zone Management Act of 1972 (p.L. 92-583), as amended, and its implementing regulations (15 CFR 923). The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act of 1972, as amended. [Federal Grant No. NA-82-AA-D-CZ068.] The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Avenue, Suite 1010, Albany, New York 12231-0001.



**TOWN OF OSSINING
VILLAGE OF OSSINING
MUNICIPAL BUILDING**



16 Croton Avenue

Ossining, NY 10562

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MARY ANN ROBERTS
TOWN / VILLAGE CLERK

Adopting the Local Waterfront Revitalization Program Amendment

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

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

WHEREAS, the Village of Ossining Board of Trustees, as lead agency, issued a Positive Declaration, prepared a Generic Environmental Impact Statement, and issued a written finding statement (*July 21, 2009*) regarding the adoption of the Local Waterfront Revitalization Program amendment and local laws necessary for its implementation, in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Village of Ossining Local Waterfront

Revitalization Program amendment is hereby adopted, and that the Mayor is authorized to submit the Local Waterfront Revitalization Program amendment to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

STATE OF NEW YORK ()
COUNTY OF WESTCHESTER () ss.:
VILLAGE OF OSSINING ()

I, Mary Ann Roberts, Village Clerk of the Village of Ossining, Westchester County, New York, DO HEREBY CERTIFY, that I have compared the foregoing with the original resolutions adopted by the Village of Ossining Board of Trustees at a meeting held on the 15th day of March, 2011 and that the foregoing is a true and correct copy of the original thereof. I DO FURTHER CERTIFY that William R. Hanauer Mayor, Marlene Cheatham, Susanne Donnelly, Janis Castaldi and Michael Curry Trustees were present at such meeting and _____ was absent.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the VILLAGE OF OSSINING, THIS 16th day of March, 2011.

S
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A
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Mary Ann Roberts, Village Clerk



STATE OF NEW YORK
DEPARTMENT OF STATE

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

September 23, 2011

Honorable William R. Hanauer
Mayor
Village of Ossining
16 Croton Avenue
Ossining, NY 10562

Dear Mayor Hanauer:

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

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

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

Sincerely,

Cesar A. Perales
Secretary of State



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL OCEAN SERVICE
 OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
 Silver Spring, Maryland 20910

FEB 01 2012

George R. Stafford
 Program Manager
 State of New York
 Department of State
 One Commerce Plaza
 99 Washington Avenue
 Albany, NY 12231-0001

Dear Mr. *George* Stafford:

Thank you for the New York Department of State's November 21, 2011 request to incorporate an amendment to the Village of Ossining's Local Waterfront Revitalization Plan (LWRP) into the New York Coastal Management Program (CMP). You requested that changes to the Village of Ossining LWRP described below be incorporated as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and Office of Ocean and Coastal Resource Management (OCRM) Program Change Guidance (July 1996). OCRM received the request on November 21, 2011, and OCRM's decision deadline was extended until February 1, 2012.

Based on our review of your submission, we concur that the changes to the Village of Ossining LWRP are RPCs. We approve the incorporation of the changes to Section III as enforceable policies of the New York CMP and the changes to all other sections as non-enforceable policies. Federal Consistency will apply to the approved enforceable policy changes only after you publish notice of this approval pursuant to 15 C.F.R. § 923.84(b)(4). Please include in the public notice the list of changes to enforceable policies provided in this letter, and please send a copy of the notice to OCRM.

CHANGES APPROVED

Name/Description of State or Local Law/Regulation/Policy/Program Authority or Change	State/Local Legal Citation	Date Adopted by State	Date Effective in State
ADDED:			
New policy statement: "Protect and enhance views from the Crescent and waterfront area toward the Hudson River"	Section III, Policy 25 B	10/25/2011	10/25/2011
MODIFIED:			
Changes through the LWRP to reflect the rezoning, including creation of a Conservation District, Riverfront Development District (RDD), Planned Waterfront and Railway Development (PWRD), Planned Waterfront Subdistricts, Station Plaza districts, and Institutional Redevelopment district	Sections I, II, IV, V, VI, VII, and VIII*	10/25/2011	10/25/2011



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“Public access” added to policy statement.	Section III, Policy 1	10/25/2011	10/25/2011
Replaces “WD-1” with the new “RDD” district.	Section III, Policy 1, Explanation 1 and 6; and Policy 19E	10/25/2011	10/25/2011
Removal of swimming at Pal Beach	Section III, Policy 2A, Explanation 1	10/25/2011	10/25/2011
Minor change of nature preserve name and description of preserve	Section III, Policy 7B; Policy 7B, Explanation; Policy 19A; and Policy 44, Explanation	10/25/2011	10/25/2011
Minor grammatical change	Section III, Policy 14, Explanation 5	10/25/2011	10/25/2011
Expands pedestrian access requirement to apply to all new development. Replaces “WD-1” with the new “RDD” district.	Section III, Policy 19D	10/25/2011	10/25/2011
Established criteria for the PWRD special permit approval	Section III, Policy 19, Explanation 4 and Policy 20, Explanation 7	10/25/2011	10/25/2011
Refers to existence of public access incentives in new zoning districts	Section III, Policy 20, Explanation 8	10/25/2011	10/25/2011
Refers to existence of public access incentives in new zoning districts; identifies water-related recreation uses permitted under the PWRD special permit	Section III, Policy 22, Explanation	10/25/2011	10/25/2011
Expanded requirement to CDD and OR districts (in addition to PRD); deleted requirement that at least 10% of total open space area be designed for active recreation activities	Section III, Policy 25, Explanation 2	10/25/2011	10/25/2011
Revised height requirements to focus on limiting heights and addressing development on steep slopes	Section III, Policy 25, Explanation 3	10/25/2011	10/25/2011
Changes marked with an asterisk (*) are incorporated into the NEW YORK COASTAL MANAGEMENT PROGRAM, but do not contain enforceable policies that can be used for Federal Consistency.			

QUALIFICATIONS

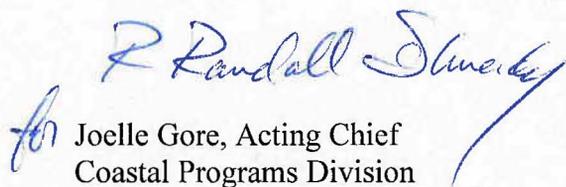
States may not incorporate enforceable policies by reference. If an enforceable policy refers to another policy, guideline, standard, manual, or other such requirement or document (hereinafter “referenced policy”), the referenced policy itself must be submitted to and approved by OCRM as an enforceable policy. If the state does not submit the referenced policy for OCRM’s review and approval, it is not an enforceable policy that can be used for Federal Consistency. Because the New York CMP has not submitted the referenced policies within the Village of Ossining LWRP as enforceable policies, they cannot be used for Federal Consistency.

PUBLIC AND FEDERAL AGENCY COMMENTS

OCRM received no comments on this RPC submission. The public comment period to submit comments to NOAA OCRM ended on December 9, 2011.

Thank you for your cooperation in this review. Please contact Elisa Chae-Banaja at (301) 325-3674, if you have any questions.

Sincerely,

Handwritten signature in blue ink that reads "Joelle Gore". The signature is written in a cursive style. To the left of the signature is a small blue mark that looks like "for".

Joelle Gore, Acting Chief
Coastal Programs Division

CC:

Steve Ridler, New York State Department of State

Kevin Millington, New York State Department of State

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Section I Waterfront Revitalization Area Boundary

The Village of Ossining Waterfront Revitalization Area is as follows:

Beginning at a point on the southerly side of the Croton River at a point 1,000 feet north of the center line of a brook running through the southerly portion of property of Dominican Sisters of Hope, as measured along the easterly bank of the Croton River; thence in a straight line approximately 1600 feet to the westerly side of Route 9 which line if extended would cross the Albany Post Road at a point on the east side of said Albany Post Road distant three hundred feet from the intersection of the Albany Post Road with the northerly side of Ogden Road; thence along the westerly side of Route 9 in a southerly direction approximately 3.5 miles to a monument at the southeast corner of Sparta Cemetery; thence running along the southerly side of Sparta Cemetery 294.00 feet to a point on the easterly side of Old Albany Post Road, now Revolutionary Road; thence in a northerly direction along the easterly side of Old Albany Post Road 2.75 feet to a point; thence crossing Old Albany Post Road and continuing along the division line of lands now or formerly of F.R. Pierson and lands now or formerly F.A. Vanderlip 866.0 feet to a point on the easterly side of Kemeys Ave; thence along the Kemeys Avenue north twelve degrees forty four minutes east one hundred and thirty-three (133) feet, north thirteen degrees seventeen minutes thirty seconds east eighty-four and twenty-three hundredths (84.23) feet to a corner; thence on a course south eighty-two degrees seventeen minutes west and crossing Kemeys Avenue and running through lands one hundred ninety-six and thirty-five hundredths (196.35) feet to a point on the easterly side of lands of New York Central Railroad Co.; thence along lands of New York Central Railroad Co. on a curve to the left not tangent with the last mentioned course having a radius of 3670.00 feet, a central angle of four degrees eleven minutes ten seconds and a length of 268.14 feet; thence north eighty-nine degrees forty-four minutes west eighty feet more or less to the Hudson River; thence in a westerly direction on a line being the shortest distance to the center line of the Hudson River, being the same boundary line of the County of Westchester; thence in a northerly direction along said line of the County of Westchester to a point; distant 100 feet south of Teller's Point, thence northeasterly on a straight line to the point of place of beginning.

(See [Map 1 – Waterfront Revitalization Area Boundary](#))

Section II Inventory and Analysis

General Information

The Hudson River, "one of the most beautiful rivers in the world," forms the western boundary of the Village of Ossining. Richly endowed in its setting, Ossining is located 31 miles north of New York City on the rolling hills which characterize the eastern shore of the Hudson Valley. The Village has three miles of riverfront land with some of the most spectacular views in all of the Hudson's 315 mile length: the Palisades lie on the western shore; the Manhattan skyline is to the south; and Croton Point is upriver. However, the waterfront area has been long neglected and most of Ossining's residents have had little opportunity to enjoy the pleasures which the river has to offer. Recently, attempts have been made to provide waterfront park land; however, the riverfront is still underutilized as a people resource.

When the railroad came through Ossining, in 1849, it separated the community from the river, both physically and economically. The Hudson was no longer quite as accessible nor would it ever again play as big a role in the transportation of goods and people between Ossining and the communities to its north and south. The railroad was largely constructed on fill placed along the water's edge and only in a few places is there enough land west of the tracks for buildings or for recreational uses. Within the Village of Ossining, there is a 0.6 mile stretch of land west of the railroad tracks which can be reached via two vehicular bridges. This land contains the Louis Engel Waterfront Park, some private marinas and small industries. This is the only land west of the railroad tracks within the Village of Ossining which is easily and safely accessible to the public. The other large parcel of land directly on the water is utilized by the Tappan Facility which is part of Sing Sing Prison. The release of this land by the State would give the Village the opportunity for major waterfront development.

The only other potentially usable land within the Village of Ossining lying west of the tracks is 1½ acres of parkland known as Sparta Dock. This land is inaccessible except by climbing over the railroad tracks. A bend in the tracks just south of Sparta combined with the live third rail makes this extremely dangerous. East of the railroad tracks the land rises quite steeply up to Route 9. The Village's oldest neighborhoods and its historic downtown shopping area lie here along with a few parcels available for development.

The land uses in the Village are much more mixed than in the surrounding Town of Ossining which is primarily residential (see [Map 2](#)). In the Village there are single-family, two-family and multi-family dwellings along with commercial and industrial uses. Manufacturing is almost entirely confined to the western portion of the Village along the riverfront and railroad tracks. Commercial land use consists mainly of retail and neighborhood oriented service establishments along portions of Route 9, Main Street and Spring Street. The central business district of the Village is located on Main Street and Spring Street, with additional commercial development along Broad Avenue. Although there are still a few undeveloped and underutilized parcels between Route 9 and the Hudson River, this is basically a built-up area. There are no commercial fishing facilities or agricultural lands.

Air quality appears to be good in Ossining; however, there is no local monitoring. Ossining is part of the New York Metropolitan Region which has attained acceptable levels of air quality regarding all pollutants except photo-chemical oxidants. Parts of the region have unacceptable levels of carbon monoxide and total suspended particulates.

Route 9, which forms the eastern boundary of the Ossining Waterfront Area, is a major north-south arterial and has been undergoing improvements. This state road connects with the New York State Thruway via the Tappan Zee and Beacon- Newburgh Bridges and was nominated for designation as a Scenic Road by the New York State Department of Environmental Conservation. Revolutionary Road in Sparta was also nominated; however, neither of these roads was so designated. The area also contains two railroad stations with a third station, the Croton-Harmon, just to the north. All of the Ossining Waterfront Area has public water service and all but the Beach Road area in the northern waterfront is served by public sewers. A new county-owned secondary sewage treatment plant, next to the Tappan Facility of Sing Sing Prison, was completed in 1983 with sufficient capacity to handle Ossining's projected needs. Certain terrain conditions make the installation of sewer lines infeasible in areas of low density; however, new development would not be limited anywhere within the waterfront area due to the lack of sewer service.

Over the past fifteen years, a great deal of effort and money has been devoted to improvements to the Village's infrastructure. New sewers have been laid and a schedule of road rebuilding as well as repaving has been set up. These infrastructure improvements have been especially obvious in the Village's historic downtown section where decorative sidewalks and lighting along with plantings have been included in the infrastructure rebuilding. During 1985, the telephone company brought the latest state-of-the-art equipment into an addition which they built into their Main Street facility. Their improvements encouraged the redevelopment of vacant land within the Village's Central Business District. Money and effort has also gone into improving the Village's water system. The water filtration plant was recently enlarged and upgraded and is fed by New York City's Croton Reservoir and the Indian Brook Reservoir. The Village has also instituted back-washing the filters in the water filtration plant at the Indian Brook Reservoir as a means of reducing the daily amount of water that flows into the County Wastewater Treatment Facility.

Ossining is built on hills and in no place is this more obvious than in the waterfront area. Only west of the railroad tracks and in the Water Street area of the Village is there flat land and this is prone to flooding. East of the railroad are steep slopes and occasional deep ravines. The deepest of the ravines was cut by the Sing Sing Kill as it flowed west to the Hudson River. This stream is classified as "D" as is Sparta Brook, Ossining's only other classified stream. This classification indicates that they are not clean enough for recreation. However, these streams are being considered for upgrading to "C" based on a proposed generic upgrading of all perennial streams to reflect the fact that nearly all are capable of sustaining at least some fish life. Both streams empty into the Hudson River which is classified as "B" which means that it is suitable for swimming and other water related activities but not pure enough for drinking. The steep slopes do at times cause stormwater run-off problems but this situation has, for many years, been handled by storm sewers with only occasional overflow problems. More recently, new developments have been required to install stormwater retention and/or detention best management practices so that storm water will percolate into the soil rather than cause run-off problems. There were serious erosion problems on the steep embankment

between Hunter Street and Barlow Lane in the Village which led to a land-slide in 1984. Since then, new storm sewers have been laid and sheet pilings installed. Other embankments throughout the Village appear to be stable; however, if disturbed by construction, precautions will have to be taken.

The Hudson River represents one of the most dynamic, viable, and resource-rich estuaries found in the Northeast. Off Ossining's shores is the Croton River and Bay habitat which has been designated by the State Coastal Management Program as a Coastal Fish and Wildlife Habitat of Statewide Significance. This habitat is one of the largest shallow bay areas in the lower Hudson River that is sheltered from strong river currents and, to some extent, from prevailing winds. Consequently, the area provides favorable habitat for anadromous fish species, such as blueback herring, and also for resident warm water species, such as largemouth bass. The river and bay are very popular for recreational fishing. (See Appendix A for the full description of the habitat.) Just outside Ossining's northern village boundary, which extends to the center of the Hudson River, is the Harverstraw Bay Significant Coastal Fish and Wildlife Habitat. Because the Hudson is tidal, Ossining's shoreline depths, of 2-9 feet, vary with time. The same action affects the 30-40 foot deep center channel. Average tides are 3.1 feet but can be as much as 5 feet during the spring and autumnal equinoxes. In the event of extreme flood conditions associated with 100 year storms, the river rises 7.8 feet above its mean high water mark flooding most of the downtown waterfront west of the railroad tracks.

The Ossining shoreline is in a constant state of change. Much of the land west of the railroad tracks is fill-in placed there during the days when Ossining was a busy shipping area with many docks and warehouses along the riverfront. This fill erodes rapidly under the action of the severe northwest winds common to the region. However, some areas are being built up with silt and sand carried down by the Sing Sing Kill and the Croton River. In addition, there is a unique current situation in the waters adjacent to the downtown waterfront area. This is due to cross currents off Croton Point and can make certain boating activities difficult unless the landing and docking areas are well protected and supervised.

Within the waterfront area, the Village has two resources which have played a unique role in the development of New York State: the Old Croton Aqueduct and Sing Sing Prison. Together they led to the selection of Ossining as one of eighteen State Heritage Areas, formerly known as Urban Cultural Parks (UCPs). With the help of the State, they are being groomed to attract visitors, shoppers and economic development to Ossining.

As part of the State Heritage Area program, the right-of-way of the aqueduct is being improved and the manmade conduit, which carried the vitally needed water from the Croton River into New York City, has been opened for tours. This first American aqueduct enabled New York to grow and provided employment for thousands of early nineteenth century emigrants. In 1825, over 10 years before the aqueduct came through Ossining, Sing Sing Prison came into being. One hundred prisoners were brought in by barge and put to work constructing their own cell block out of stone quarried on the site. This cell block still remains, although current prisoners are housed in quarters constructed during the first half of the twentieth century.

To the south of Sing Sing is the locally designated Sparta Historical and Architectural Design (HADD) District. Also, several prehistoric and historic archeological sites, designated as sensitive

on the New York State Archeological Site Location Map, are scattered throughout the waterfront area.

Major Issues

The major issues confronting the Village of Ossining Waterfront area are access, station parking, appropriate redevelopment, and the protection of the land from erosion.

1. **Public Access:** The railroad divides the rest of the Village from the river. When the railroad was first built, there were on-grade crossings. As time went on and railroad traffic increased, these on-grade crossings were closed and the requirements for vehicular and pedestrian crossings became harder and more expensive to meet. The Village feels that the Metropolitan Transportation Authority (MTA) has an obligation to provide alternate access to riverfront lands isolated by the railroad tracks.

Access to the river is further limited in the Village by the location of Sing Sing Prison on approximately 55 acres of prime waterfront land. Twenty of these acres are west of the tracks, right on the river. Thus, access to the Village's largest piece of shoreline land is totally denied to the general public. The Village of Ossining feels that this land should be released by the State for appropriate redevelopment.

2. **Railroad Station Parking and Circulation to and from the Railroad Station:** Increased housing construction in northern Westchester County has overcrowded the railroad parking lots and put a burden on commuters, railroad station communities and, in some cases, the waterfront. Parking for the Ossining Railroad Station has overflowed the boundaries of the parking lots and threatens the downtown waterfront while still not providing as many spaces as needed by commuters. Local communities are not in a position to solve the commuter parking problem; it must be addressed on a regional basis, and redevelopment emphasis should be on transit oriented development. Furthermore, vehicular circulation to and from the train station is narrow and should be simplified.
3. **Redevelopment:** Much of the Village of Ossining's waterfront was developed in the early days of the community when the river was the area's main transportation corridor. When the railroad came through, it became the primary carrier of goods and people and further encouraged the development of industry and warehousing along the river. Now that trucks are the main carriers of most products, most industrial and commercial uses, except those which are truly dependent on a waterfront location, no longer need to be sited there.

In recent years, people have developed a greater awareness and appreciation of the river giving added financial value to waterfront lands. This is bringing development and redevelopment to lands along the river or with views of the river. It is important

that this new development be appropriate to its site, not interfere with others' enjoyment of the river, and preserve the existing water- dependent uses.

In 1990, a new zoning map and zoning law were adopted to better guide the redevelopment of the waterfront. A mixed use waterfront development zone was developed to protect existing businesses while encouraging gradual upgrading of the area. In 2009 the Village of Ossining developed new waterfront districts that address the inadequacies in the 1990 waterfront zoning, including reexamination of bulk standards for height and setbacks, adding provisions for permitted uses and view preservation, encouraging public access, RiverWalk, open space, shoreline and streambank stabilization, waterfront recreation, affordable housing and historic preservation.

4. **Protection from Erosion:** Since the Village has very little land between the railroad tracks and the river, and since much of this land is fill-in, erosion control is very important. The Louis Engel and Sparta Dock parks are positioned to be in special danger if not monitored and maintained. Measures were taken at the Louis Engel Park to assure its continued existence.

Waterfront Areas

Ossining was first settled due to its location on the river, and it is hoped that the river will play an important role in its revitalization. [Map 3](#) shows the Village's public park lands and recreational facilities.

On the following pages, the different areas of Ossining's waterfront will be described in greater detail. [Map 4](#) shows the location of these areas.

A. Unincorporated Town of Ossining Waterfront

Not included in LWRP

B. Northern Waterfront

The northern waterfront is an expansive area of open spaces and wooded hills, running from the Town/Village boundary line south to the Edward M. Wheeler Crawbuckie Nature Preserve Area, and from the Hudson River east to Route 9 (see [Map 5](#)). All the land is east of the railroad tracks, and many of the holdings are large parcels ranging from 10 to 57 acres. All of the properties in this area are easily reachable from Route 9 and within close proximity to the Croton-Harmon Railroad Station and the junction of Routes 9 and 9A. As a result, this is one of the most accessible regions of Ossining from outside the Village.

The northernmost parcel consists of a cluster development called Mystic Pointe that was developed in the 1990's. The other large parcel within this section of waterfront is owned by the Catholic Church. The Dominican Sisters of Hope have their buildings on the western portion while the remainder of the 57 acres is beautiful open space. This land could become available for development

in the future. BASF, formerly the Mearl Corporation, land is approximately 21 acres and is a very lovely section with views of the river and easy walking through wooded areas and across the broad lawn of the BASF property. Kane House, a beautiful, two story stone house built in 1843 and used by Mearl for offices is also located on this property.

The northern parcels have either recently been rezoned to the low-density (Conservation Development District (CDD) or are still zoned PRD and OR. The northernmost parcels run from the Town/Village boundary line south to Snowden Avenue. The western boundary is the Hudson River and the eastern boundary is at varying points Route 9, the Croton Aqueduct Trail, and Snowden Avenue. The recent developments in this area have taken advantage of the river views. A development of luxury condominiums known as Eagle Bay was completed in the mid-1980. Other recent development on the northern waterfront has been for private conference centers, senior facilities, and a small corporate headquarters.

The CDD promotes the following for this district:

- Requires open space as part of the development and smaller multiple story buildings, in order to make cluster development possible.
- Encourages uses such as office, conference centers, hotels, or low density residential uses.
- Preserves the area's unique, natural environmental features by:
 - not allowing wetlands to be considered developable land;
 - minimizing development on steep slopes, and
 - having a lower permitted density (up to 8 dwelling units per acre with incentives) than the rest of the waterfront districts.

The water, sewer and other services needed for further development within the northern waterfront are in place along Route 9 and will be accessible to developers. Many parts of this area contain steep slopes down to the railroad tracks with occasional gullies and intermittent streams. Care would have to be taken during construction to prevent erosion, and holding basins would be necessary in any fairly dense development.

The Old Croton Aqueduct runs through this section of the waterfront in a north-south direction. The right-of-way of the Old Croton Aqueduct is on the National Register of Historic Places and is under the protection of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Any plans to develop the Dominican Sisters property would be reviewed by the Taconic State Park Commission to insure that the developer provides protection for the aqueduct against blasting, the movement of heavy equipment, or other construction activities that might be injurious. Any serious problems noted by the Commission would be referred to the OPRHP central office and handled at that level.

The Croton-Harmon Railroad Station is located about one mile north of this section, while the Ossining Station is two miles to the south. (Frequent train service is available into Manhattan and to upstate New York from Croton-Harmon, and it would tend to be the preferred station to serve this area.) There is also bus service along Route 9.

The northern waterfront with its good access, open spaces and views of the river has been the scene of much change during the past fifteen years. The future promises a continuation of this pattern with housing consuming a large portion of the vacant parcels or underdeveloped parcels with the possibility of office and commercial uses along the Route 9 corridor.

C. Edward M. Wheeler Crawbuckie Nature Preserve Area

The Edward M. Wheeler Crawbuckie Nature Preserve Area (see [Map 6](#)) is a magnificent and unique 12-acre parcel of dedicated passive park land located at the end of Beach Road on the Hudson River side of the roadway. In 2006 the Village expanded the park with (respectively): (1) a 12-acre NYS Department of Transportation property, and (2) a 15-acre parcel, 95 percent of which is underwater and the remainder consists of a small piece of sandy land above the high-water mark. The water off shore in this area is very shallow due to silt deposited by the Croton River, but is an important area for recreational fishing from boats due to its proximity to the Croton River, which has been designated as a Fish and Wildlife Habitat of Statewide Significance. Railroad tracks, running along the westerly portion of the property, prevent direct access to the waterfront in the Edward M. Wheeler Crawbuckie Nature Preserve Area. Immediately to the east of the railroad is a marsh area, and east of the marsh is a steeply sloped, heavily wooded area which extends as far as Beach Road. The Edward M. Wheeler Crawbuckie Nature Preserve Area is located at the bottom of Beach Road and can be reached on foot by way of the Old Croton Aqueduct Trail or by car via Route 9. There is no vehicular or pedestrian crossing along this section of the railroad tracks and the western portion of the Edward M. Wheeler Crawbuckie Nature Preserve Area gets virtually no use.

Although the Edward M. Wheeler Crawbuckie Nature Preserve Area contains no official freshwater wetlands, immediately to the east of the railroad tracks is a 2 acre marsh area. East of the marsh, the land becomes steeply sloped and heavily wooded up to Beach Road. This section contains a number of unique trees and shrubs, making it of special interest to both naturalists and casual hikers. In addition, the lower portion has a special "micro-climate" and enjoys slightly more moderate weather than is experienced elsewhere in Westchester County, with plants flowering and trees coming into leaf 2-3 weeks ahead of similar species in the surrounding areas. There are two nature trails running through the park however, they are occasionally blocked by large branches or tree trunks and also suffer, in certain places, from wash outs.

Although the Edward M. Wheeler Crawbuckie Nature Preserve Area is the largest of the Village-owned waterfront properties, it is little used and many Ossining residents are unaware of its existence. Current plans of the Village incorporate this area into the Westchester County RiverWalk trailway. The nature area is located at the bottom of Beach Road and can be reached on foot by way of the Old Croton Aqueduct Trail or by car via Route 9. However, Beach Road is poorly delineated at its intersection with Route 9 and is flanked by a gas station and an automobile and motorcycle dealership which tend to obscure the entrance way, making the nature area difficult to locate. A person walking through the Edward M. Wheeler Crawbuckie Nature Preserve Area quickly forgets its proximity to development and to Route 9 and feels the peace and tranquility of the woods while enjoying occasional glimpses of the river through the trees. The more physical aspects of the area needs to be preserved if the other wooded areas to the north of the Edward M. Wheeler Crawbuckie Nature Preserve Area become developed. The Edward M. Wheeler Crawbuckie Nature Preserve

Area is to a large extent protected to the north and south by steep slopes which rise up from the nature area. To the north, the slope rises to a flat plateau of Dominican Sisters land.

It must be kept in mind that this is a fragile area located at the bottom of a quiet residential street. Although more regular maintenance is needed to keep the trails passable and improved marking of the unique trees and shrubs would increase the area's educational value, the general feeling is that its use should remain low and that it should be preserved as a quiet retreat for Ossining residents.

D. The Snowden Area

Estates, small private homes, retail businesses, subsidized housing, and open space co-exist on this multi-use section of the Ossining waterfront which runs from just south of Beach Road down to the Double Arch and Ossining's historic shopping area (see [Map 7](#)). There is virtually no land west of the tracks and that to the east is wooded and extremely hilly with deep gullies running through it.

Although the Snowden Area as a whole contains many uses, most sections have a clearly defined character. The low lying area just east of the railroad tracks is primarily industrial, the properties by Route 9 are largely business, while the space in between is residential. A high ridge running between the industrial and residential areas forms an almost perfect buffer between the two of them and causes all the industrial enterprises to rely solely on Water Street for their access, while the rest of the area is accessible from Route 9 or from Snowden Avenue, a residential thoroughfare with a community park at its southernmost end. There are no freshwater wetlands in this section of the waterfront. Density of development is low in the northern portion. There are approximately 19 contiguous acres of vacant land available for development. The privately owned undeveloped properties of Snowden area will be fairly difficult to develop due to the steep grades; however, the land could be considered for housing located on the upper portions near Snowden Avenue and portions of land near the Edward M. Wheeler Crawbuckie Nature Preserve Area should be left in its natural state and connected through a pathway to the nature area. Special care should still be taken in the review of any development plans involving these properties. The land is mostly zoned CDD which allows residential development with densities including incentives up to 8 units per acre.

The Vireum property at the intersection of Snowden Avenue and Water Street was developed as condominiums. The attractive, 1870 mansard roofed Vireum School building has been rehabilitated into twelve units. Zoning on this property remains multi-family.

Although there is an industrial area along the railroad tracks, it is low-lying and separated from the residential area by a ridge which makes it all but invisible. Some of the industrial buildings in this area have historic significance. This is especially true of those which remain from the Brandreth Pill Factory Complex on the North Water Street Extension. At one time the pill factory used a small stream running through the site for power, and most of the factories used the river and later the railroad for transportation. The Brandreth industrial buildings are on the National Register and are overlooked by two historic homes located on large parcels of land which are owned by descendants of the Brandreth family. There is currently a redevelopment proposal for the Brandreth Pill Factory.

The southern portion of the Snowden Area primarily contains older homes on small pieces of land. Quite a bit of rehabilitation work has been done here with both private and public money and, although there are still a number of buildings in need of work, there has been a definite improvement in the appearance of this neighborhood.

The Old Croton Aqueduct runs through this section of the waterfront in a north-south direction. As mentioned in Section B, this aqueduct land is under the protection of the NYS Office of Parks, Recreation and Historic Preservation and this agency will become involved once development plans are formulated. A number of interesting older buildings are located near the aqueduct further south, but none of them are listed on the National Register. Probably the most significant are the Victoria Home for the Aged, which may have been the original estate in the area, and the North Side Firehouse, a WPA project built in the Spanish style with a tile roof. A Historic Preservation Study, conducted in 1974, classified the Victoria Home, "McAlpin House", as a Village landmark and did not consider it for potential National Register listing. The North Side Firehouse was not included in this study.

This is the most varied of the waterfront areas. It is also undergoing change and it is likely that it will be totally built up within the next five years with housing filling the vacant and underutilized parcels described above. It is also possible that the immediate waterfront might undergo change. Although the land along the railroad tracks will probably remain industrial for a while to come, a drastic upgrading is possible with future developers spanning the tracks to take advantage of river views. The future might also see a pedestrian linkup between the Edward M. Wheeler Crawbuckie Nature Preserve Area and the waterfront parks to the south via a RiverWalk pathway that would be located along the waterfront when possible.

E. The "Crescent"

The "Crescent" is the Village of Ossining's historic downtown shopping area, so called due to the curve Main Street makes as it approaches Route 9 (see [Map 8](#)). This area has been the location of the bulk of the Village's Urban Renewal and Community Development activity. The roads have been rebuilt, including decorative sidewalks and planters, along with new water mains and sewer drains. Many of the buildings have had their facades revitalized with public funds, linear parks have been built, and new businesses have moved into the area.

Urban Renewal in the 1970s led to the demolition of buildings along the south side of Main Street at the intersection with Spring Street. The Post Office and accompanying parking lot were added on a portion of one renewal site. There are a few Village owned parcels, zoned VC (Village Center), that remain to be developed on Main Street in the downtown area. They are a Market Square (Municipal Lot 6) located on the southeast corner of Main and Spring, which is used for the seasonal farmer's market and parking, a parcel located on the southwest corner known as Municipal Lot 5 that is used for parking, and the "We Can Do It" site at 147-155 Main Street (Municipal Lot 16) former site of a fire that occurred in 1995 and destroyed the building located there. Creating a village green on a portion of the Village owned parking lot at the southwest corner of Main and Spring Streets would keep open the views of the outstandingly historic north side of the Crescent. It would also serve as the place for the popular farmer's market in the spring, summer and fall. Development of infill

buildings along the Market Square lot and along Spring Street could take place. All infill should have commercial/retail on the ground floor and residential/office uses above. This infill development will fill in the gap in the streetscapes along Main Street. The farmers' market should be moved to the Village Green site, offering synergistic benefits to both uses.

Portions of the currently vacant land between State and Spring Streets south of St. Paul's Place are also used as parking. Two existing historic structures are located in the area: the Calvary Baptist Church and its Annex, both of which are listed on the National Register of Historic Places, and W.A. Slater's survey office on State Street, originally the library for the Mt. Pleasant Military Academy which had occupied this site until the early 1900's.

This section of Ossining's waterfront contains many historically significant structures. The Old Croton Aqueduct plays an important role in this area and most of its right-of-way has been transformed into a linear park. Just north of the Crescent, the aqueduct is carried over the deep gorge of the Sing Sing Kill on a magnificent bridge. In crossing over Broadway, this aqueduct bridge forms a double arch with the Broadway Bridge, giving Ossining its beloved symbol. An overlook has been constructed to give views of these arches (see [Map 9](#)). At the north end of the aqueduct bridge stands a weir chamber which has been renovated to accommodate tour groups and provide access to the conduit of the aqueduct; to enable people to actually enter the manmade pipe which was constructed 150 years ago to carry fresh water from the Croton River to the thirsty people of New York City (see [Maps 10](#) and [11](#)). In addition, the area around the weir chamber has been reconstructed. This National Register structure is one of two primary resources in Ossining's Heritage Area, part of a statewide system designed to preserve New York's unique historic resources and use them not only as educational and recreational tools, but also to attract visitors and economic development to their communities. Ossining's other primary resource is Sing Sing Prison which will be described in a later section. A Heritage Area Visitor Center has been constructed in a portion of the Ossining Community Center at 95 Broadway.

The Crescent commercial area itself, with its nineteenth century buildings has been listed on the National Register as an historic district.

Two churches in this section of waterfront are on the National Register; the First Baptist Church, a High Victorian Gothic brick structure dedicated in 1874 and located at Church Street and Route 9, and the Calvary Baptist Church, a Gothic Revival Church on St. Paul's Place designed by Calvin Pollard and built of locally mined Sing Sing marble. There are many other interesting structures including the Ossining Bank for Savings at Main and Route 9, built in 1908 in the Beaux Arts style with probably the best executed cartouches in Westchester County. A less attractive, but more historic building is the Olive Opera House at Central and Brandreth Streets which was built in 1865 and was the site of many Ossining functions.

The deep gorge of the Sing Sing Kill (also known as Kill Brook) runs in a westerly direction through this section of the waterfront. It crosses under Route 9, runs to the north of the Community Center and pool complex, runs under the Double Arch where a spillway from the conduit enters it, runs behind privately owned structures where the banks are frequently littered with debris, enters Village owned land by the former Department of Public Works yard, runs between buildings by the railroad tracks and finally enters the Hudson River where it has been forming a small delta. This usually

shallow stream has a "D" classification and it is doubtful that it will ever be eligible for a higher rating although past sewer work in the Village has eliminated contamination from this source. The Kill Brook is currently not utilized by the general public because it is physically inaccessible and in need of streambank stabilization. If it were made physically accessible through the development of a trail, and if it were cleaned up in order to enhance its appearance, it could serve well as a nature trail linkage between the Main Street area and the waterfront. Such an ambitious project is not likely to take place until all of the existing retail/commercial area is built up and occupied.

Steep hills lead from the Crescent business area down to the railroad tracks where a new station parking lot was constructed in the early 1980's; however, the demand for parking now exceeds the number of spaces available. Much of the area by the tracks is industrial, although some of it is owned by the Village and is the former location of the Department of Public Works and the Building Department. The area is low-lying and is in a flood zone.

The area has recently been rezoned for Planned Waterfront Subdistrict PW-b. This area includes the Ossining Metro-North Station which includes stops on the Bee-Line bus service and Ossining-Haverstraw ferry, the Hudson Wire Building and former Department of Public Works, Metallized Carbon and the Sing Sing Kill. Steep hills lead from the Crescent business area down to the railroad tracks. The new zoning provides the opportunity to take advantage of its location adjacent to the train station by increasing densities and decreasing parking requirements.

This is the first part of Ossining to be seen by people arriving by train. The improved parking lot helps Ossining's image and gradual improvements to the buildings have taken place. However, the area could benefit from additional facade and streetscape improvements such as those which have taken place on upper Main Street. Long range plans call for the street improvements along upper Main Street to be brought on down to this area, at least in a modified form, with new sidewalks, plantings and improved lighting.

Hunter Street, part way up the hill from the railroad station, has been the scene of some recent improvements. Hunter Street enjoys magnificent views of the river and is one of the area's most obvious from the river. Although primarily residential, until recently it was zoned Waterfront WD-2. Areas of Hunter Street were recently rezoned PW-c (Central Waterfront- Hillside), and T (two-family).

The Crescent section of Ossining has been the scene of many changes during this century. As the nineteenth century buildings got run down they were occupied by marginal businesses and slum apartments. Much money and effort has been expended to reverse this trend and evidence of this is visible in new roads, a modern community center, rehabilitated stores and new businesses. However, the job is not finished and this too is visually evident in a few vacant or deteriorated buildings and vacant parcels. A recent increase in interest in these properties promises a productive future for Main Street.

F. The Downtown Waterfront

This is the most visible and by far, the most accessible part of the Village of Ossining shoreline (see [Map 12](#)). It is the keystone to both the development of waterfront recreation within the Village and to the redevelopment and revitalization of Ossining's entire waterfront.

The river is more accessible here than at any other place within the Village of Ossining. Near to the central business district, it can be reached via two vehicular bridges over the railroad tracks and is adjacent to the Ossining Railroad Station. The Downtown Waterfront is 0.6 miles in length and contains 23.8 acres of flat land which is almost entirely fill soil. It runs from the Shattemuc Yacht Club in the north, south to the County Treatment Plant, and from the Hudson River, east to the railroad tracks and includes Louis Engel Waterfront Park. The National Flood Insurance Program has classified most of this section as a flood hazard area, and the western portions of some of the properties tend to flood periodically. As a result, building is concentrated along Westerly Road on the eastern portion of the land.

Ossining's largest stream, the Sing Sing Kill ("Kill" meaning stream in Dutch), enters the Hudson midway through the area. This is sometimes a turbulent stream and flows between steep, lightly wooded banks, carrying silt from its upper reaches down to the Hudson where it forms a small delta. The water is very shallow at this delta area and can be described as beach-like at low tide. However, the water becomes fairly deep off shore along the rest of this stretch.

Recent activity has concentrated on the Town-owned Louis Engel Waterfront Park which is located within the Village of Ossining. This is a long narrow strip of land running along approximately 600 feet of the waterfront with a paved walk along the water's edge and has undergone recent shoreline stabilization. There are also two observation decks, a boat launching ramp, a boat club, two playgrounds, picnic tables, a spray park, a sandy beach-like area and a comfort station. One of the former guard towers from Sing Sing Prison is located on County-owned land near the tot lot. This is the most significant waterfront recreational area within the Town, and a considerable amount of money has been devoted to improvements including stabilization of the shoreline. The level of resident use has increased as a result of the improvements. The Louis Engel Waterfront Park is also within the Heritage Area boundaries and the provision for the retention of the guard tower is important in this aspect; however, the tower is leased from the county and their agreement with the Town prohibits any current use of the tower other than a passive one due to unsafe conditions within the tower. There is a small beach area on the PAL Beach section of the Town Park, which, although not officially open for swimming, gets a lot of usage during hot weather. The County Sewage Treatment Plant, which has recently been completed at the south end of the Downtown Waterfront, is a secondary plant which has led to the phasing out of four local primary plants. This has made the river cleaner. There are some problems with odor from the plant and, at the base of Snowden Avenue, from a line leading to it.

It was hoped that the downtown waterfront properties could be connected via a waterfront walkway, RiverWalk, which would be part of a larger circular waterfront-aqueduct trail. Developing RiverWalk throughout the Village of Ossining is a focus of many of the recommendations in the Comprehensive Plan. There will be an incorporation of a RiverWalk trail into the recently approved

One Harbor Square development. A waterfront walkway may be feasible in the future, around Sing Sing if the prison is ever phased out or if the Tappan portion of the prison is decommissioned.

With the passage of the zoning law in December 1990, this property was rezoned Waterfront Development -1. It is now rezoned as RDD (Riverfront Development District). The zoning for this district maximizes opportunities for waterfront recreation and parks, and encourages the construction of portions of RiverWalk, restricts the heights of new buildings to not extend higher than three stories, setbacks new buildings from the river to minimize flood conditions, orients new buildings to preserve and provide views towards the Hudson River and Palisades, encourages reuse of historic buildings, such as the Mobil Oil warehouse, and allows for a mix of commercial, residential and recreational uses.

Since the adoption of the LWRP in 1991, the Village of Ossining began acquiring several previously privately-owned, small contiguous parcels to assemble into an approximately 5.6 acre parcel in order to facilitate redevelopment of the Downtown Waterfront area. For decades, a portion of this site was used as an oil storage/transfer facility (known as Maue Oil). Other former uses on the site included a fragrance manufacturer and a commercial bus depot and storage facility parking. Approximately 0.51 acres of this site has been dedicated as Village-owned parkland. This redevelopment area is bordered on the west by the Hudson River, on the north by the Sing Sing Kill, on the east by the Metro-North railroad tracks and on the south by the Ossining Boat and Canoe Club, and is within the RDD zone.

In 1998, the Village issued a request for proposals seeking proposals for a mixed-use development of the redevelopment area. The selected developer proposed a project known as the Harbor Square Project. This mixed-use development planned for the site includes market rate and affordable rental units, commercial space (restaurant, shops and fitness center), on-site parking and over 2.7 acres of publicly accessible open space. Of the 4.6 upland acres, 4.05 acres will encompass the development parcel. The .51 acre undeveloped Village-owned Harbor Point Park will be retained by the Village. Ownership and control of all underwater property will also be maintained exclusively by the Village. Access to the site will be provided via the Secor Road ramp and Westerly Road on the eastern boundary of the site.

The proposed project realizes the vision for the revitalization of the Ossining waterfront – a vision that has included enhancing public access, eliminating nonconforming uses, protecting and encouraging water-dependent uses and promoting the development of intensive, more urban mixed-use residential and retail commercial uses on this portion of the waterfront. The mixed use concept is consistent with the Village’s planning objectives for the waterfront parcel.

To facilitate revitalization of the Downtown Waterfront, the Village amended the Zoning Law to establish a new overlay special use in the then WD-1 District subject to special permit approval, entitled “Planned Waterfront and Railway Development” (“PWRD”). The PWRD special use will also include, among other things, design standards and bulk and area requirements for such use. In order to encourage the revitalization of this area and fulfill the goals of the LWRP in creating maximum open space, meaningful public access and intensive mixed-use, additional height and density will be permitted under the PWRD special permit use so long as the proposed use meets all the criteria set forth in the PWRD.

In addition, in 2000, a ferry service was established between the Village of Haverstraw, Rockland County and the Village of Ossining, utilizing an existing on-site pier, with passengers walking through the existing open space area to the adjacent Metro-North railroad station.

The area surrounding the Metro North station is a very important section of Ossining's waterfront. For the many people arriving by train, and by boat and ferry, this is their introduction to Ossining. For the thousands of people traveling through the area on the train, this is Ossining. If the prison property to the south is released, this will have a profound effect on this area. A more wide-spread recognition of its worth may also bring about dramatic change. At the present time, minor improvements to its appearance are continuing and greater usage is being cultivated by occasional events within the present industrial/marina/park mixed-use framework.

G. The Spring Street Neighborhood

The Spring Street neighborhood lies just south of the historic downtown and was a target rehabilitation area (see [Map 13](#)). It contains many lovely older homes, some of which are very well kept up and others which have been neglected. One block overlooking the river has very fine and beautifully maintained examples of Victorian architecture.

The Interfaith Council for Action (IFCA), a neighborhood preservation corporation, has been very active in this neighborhood, buying badly deteriorated properties, rehabilitating them and then either renting the apartments or selling the rehabilitated buildings to live-in owners. Many of the neighborhood's worst properties have been made livable again in this way with decent housing replacing substandard units. In addition, the Village's neighborhood rehabilitation program, and the County program which superseded it, have helped with many improvements in the area through their loan and grant programs. The recent reconstruction of the streetscape along Spring Street connects it in a more pleasant way to the "Crescent" business area. State Street is also scheduled for new sidewalks. Improvements to Broad Avenue between State and Spring Streets were just completed.

The Old Croton Aqueduct runs through the Spring Street neighborhood and was the cause of two parks being located along its diagonal route from Spring Street east to Route 9. Nelson Park and the Nelson Sitting Park are the sites of many activities including games and concerts. They provide a large green belt in the middle of a built up area with an elementary school to the north, multi-family housing to the east and single and two-family housing to the west and south. The area as a whole is zoned for two-family housing.

There are many other historic structures in the Spring Street Neighborhood with many interesting older houses, including several National Register-eligible properties, but only one building actually listed on the National Register. This building is located on the south-west corner of Route 9 and Maple Place and is known as the Squire House. Built in 1872, it is an early example of concrete construction and was designed in an eclectic manner reminiscent of a Rhine castle.

There are a number of lovely old Victorian Houses on Hamilton Avenue, just north of the prison and overlooking the river. The County's historic preservation planner has researched these houses and

the west side of the block has been deemed eligible for the National Register of Historic Places. However, this designation has not been formally applied for.

The Spring Street neighborhood is a highly developed residential neighborhood constructed primarily in the latter half of the nineteenth century. The twentieth century saw many of the homes in the area broken up into small, frequently overcrowded apartments. Current efforts at rehabilitation and code enforcement along with an increased interest in the older houses on the part of buyers are making a noticeable improvement in the area.

H. The Sing-Sing Correctional Facility

The Sing Sing Correctional Facility dominates this section of the waterfront with its massive buildings and towering concrete walls (see [Map 14](#)). The prison owns 20 acres of land west of the MTA tracks, one of the largest and most important parcels directly on the Hudson shore. In addition, this land is high and therefore not subject to flooding. There are another 35 acres on the east side of the tracks in a series of steep slopes topped with flat buildable plateaus, each with a striking view of the Hudson. Between the east and west sections of the property, the railroad tracks are recessed, which has the effect of making them much less obtrusive. However, the presence of the Sing Sing Correctional Facility has prevented the development of this site and prohibits the Village from realizing its full potential.

As a result of the important role it played in the development of New York State, the prison is one of the main resources in the Ossining Heritage Area. The western portion of the prison land still contains the cell block which the early prisoners constructed between 1825 and 1828, first quarrying the stone and then building their own confining cells. The death house, site of 614 of the 695 electrocutions ordered by New York State, is located just south of the original cell block, and is used as the prison's training center.

Back in the late 1960's, New York State planned to phase out this ancient facility and was willing to sell the western portion of the land. This plan has since been altered. At the present time, the prison has 1,500 inmates and, during the 1980s, money was expended on the eastern portion to enable the reopening of previously closed cell blocks.

The Sing Sing Correctional Facility section of the waterfront has more growth potential than any other site within the Village of Ossining. Several years ago, the Chamber of Commerce Development Corporation estimated that, if fully developed with retail stores, offices, theaters, restaurants and 1,000 units of housing, at 1977 rates, the Sing Sing site could yield approximately \$1.5 million in real property taxes.

In their 1977 Waterfront Redevelopment Plan, the Ossining Community Development Department recommended that the Village work toward the phasing out of the prison and the redevelopment of the site for private housing and/or commercial development in addition to public waterfront recreation. The topography would also make it possible to locate both housing and offices on the land with the steep slopes acting as natural buffers. In a 1985 report, planners hired by the Village to help with planning for the Urban Cultural Park (UCP, now Heritage Area), suggested that, in the

later stages of UCP development, the western portion of the prison property should be used as a museum with a waterfront park and dockage for boat tours. They would convert the historic cell block, death house and Warner building into a major museum on prison reform with a direct involvement of the Department of Corrections. They also suggested parking for 350 cars in this area.

Currently, the prison is zoned as IR (Institutional Redevelopment) that ensures that, in the event that Sing Sing Correctional Facility is ever closed, future plans for the site are consistent with other plans for the waterfront and is consistent with the intent and guidelines for the waterfront area identified in the Comprehensive Plan including, public park areas, water related uses, mixes of commercial and residential uses. The Comprehensive Plan suggests that the Village make Sing Sing Correctional Facility an asset rather than a liability. This not only includes the extension of RiverWalk along or through the site, but also preservation of historic structures including the walls, and reuse for large-scale tourism, consistent with what has been accomplished at the Eastern State Penitentiary in Philadelphia, PA and Alcatraz, in San Francisco. This would greatly boost the viability of Ossining as a stop on rivertown tours, as it would tie into other existing riverside tourist attractions that are, under a variety of plans, to share marketing and boat access.

The existing road network serving the prison area is poor. No road presently goes straight through from Route 9 to the prison and the two main gates are off Hunter Street to the north and Hudson Street to the south. The relative seclusion of the site is beneficial to its present use and has thus been fostered in the past. In the redevelopment of this site, it may be necessary to provide direct access from Route 9. The existing track crossing within the prison would need to be drastically improved to provide access into the western portion if it were to be utilized fully without putting a substantial strain on the Main Street - Secor Bridge route. Since there is no way of knowing if the prison property will be released three years from now, twenty-five years from now or one hundred years from now, or how the property will be developed once it is released, no definite plans are being made for the road network to serve its future use. However, the possible future need for such access will be kept in mind during the review of other development proposals which might have a limiting effect on the Village's options for this property. Residents of Ossining hope to see the prison property released during this decade.

I. Southern Waterfront

Sparta, Ossining's most historic neighborhood, is located in the southern waterfront along with much of the Village's newest development (see [Map 15](#)). Two parcels of land were developed in this area. One is a nine acre parcel which has been the home of the warden of Sing Sing Prison and the other is located across Spring Street adjacent to an old quarry. The warden's property is now known as Hudson Point and 93 low-rise condominiums were constructed to take advantage of truly outstanding views of the Hudson River. Another developer bought the Quarry property across the street from Hudson Point for a similar type of development called Liberty Knolls. Both properties had their zoning changed from Industrial Park to PMRD (Planned Multiple Residence District) and now, are zoned PRD (Planned Residence District).

Frederick Philipse acquired title to what is now Sparta on August 24, 1785, incorporating it into his vast holdings. For a number of years, he allowed settlers to use the land rent free in return for their using his flour and saw mills. By the eighteenth century there was a thriving community located here with a busy dock just north of where Sparta Brook empties into the Hudson. The Old Albany Post Road (now Revolutionary Road in this area), as well as the River, linked Sparta with settlements to the north and south. Many of the present homes date from the late 18th and early 19th centuries. The Jug Tavern, the area's oldest building, is on the National Register and Sparta is Ossining's only locally designated historic district. Sparta is also part of the Ossining Heritage Area.

The Sparta Recreation Area is located within this historic neighborhood. It consists of 3.25 acres of waterfront land plus 0.75 acres of underwater land and is divided into two pieces by the MTA tracks. At one time, there was an on-grade crossing at the tracks; however, such crossings are now against railroad policy, and the planks have been removed and the break in the third rail filled in. This is currently the most popular of the Village-owned waterfront parcels, even though the crossing is extremely dangerous since, in addition to the third rail, there is a bend in the tracks to the south which obscures on-coming trains from view. The Village was awarded a Waterfront Implementation Grant for the preliminary engineering and design work needed to provide a pedestrian crossing over to the west side of the tracks, and has been using the resulting report in its attempts to obtain grant money for the crossing which is expected to cost approximately \$950,000 (1991 estimate). However, the cost for such a bridge is extremely expensive for the Village to currently undertake but it still remains a priority. The parcel on the west side, which has been known historically as Sparta Dock, is 2.4 acres of dedicated park land, including the underwater lands. The land projects approximately 380' into the Hudson giving magnificent views downriver of the Tappan Zee Bridge with the New York City skyline in the background. There is a large rock ledge projecting to the south from the peninsula which was the foundation of the original dock. Scrubby growth covers most of the remaining area.

To the east of the tracks is slightly over 1.5 acres of Village-owned park land bounded by private property to the north, Hudson Street to the east, Liberty Street to the south and the railroad tracks to the west. The land rises 50 feet in elevation from the railroad tracks up to Hudson Street with the incline gradual at first, then becoming steep and finally flattening out at the higher elevation. This eastern portion of the land affords excellent views of the Hudson with the Palisades beyond, while the lower portion has been set up as a picnic area.

Just north of Sparta Park on the eastern side of the railroad tracks is a small privately owned parcel which had been the location of a sewage treatment plant. This plant was phased out with the opening of the new secondary plant next to the Louis Engel Waterfront Park. This property contains a very small cove connected to the Hudson River by a viaduct under the railroad tracks and is also the site of one of the old mine openings. The parcel is flat at its western end adjacent to the tracks and then rises steeply up to Hudson Street. The mine opening is off a plateau area about half-way up the rock wall. This opening presents something of a hazard. It is excavated in such a way that a person or animal could fall in and be trapped. Further, the mine is filled with water and the walls are unstable. Nonetheless, it is a remnant of an activity which was important in the history of the Village.

All of the Sparta historic area is residential with the exception of Sparta Park. One of the houses was converted a number of years ago into a restaurant. Just north of Sparta, Hudson Street was zoned

Waterfront Development-2 however, this zoning has recently been changed to PRD . Although not located in historic Sparta, this area is separated from the rest of the Southern Waterfront by a steep embankment and its primary access is through Sparta. The only remaining industrial property is the site of an old Texaco tank farm, currently the offices of Testwell Craig Laboratories, that contains a helipad in the area of the former dock and is for sale for development. The Village would like to see a public park on the Testwell-Craig helipad via a public easement involving the existing pedestrian bridge. This space is both extraordinarily scenic and relatively secluded, and best considered for picnic and other passive uses.

The Sparta area is an interesting, quiet residential area whose residents are very proud of their heritage. Its resources are protected and appreciated and favored with its inclusion in the Ossining Urban Cultural Park (now known as State Heritage Area). A number of the residents are very interested in the waterfront - aqueduct walkway and see it as a way of enhancing their resources and tying the waterfront together without disturbing the tranquility of the area. The neighborhood association is a very active, concerned group working hard for the benefit of Sparta.

Much of the land just south of Sparta has been developed within the past 20 years, first with the Arcadian Shopping Center on Route 9 and then with a 240 unit apartment complex and 120 units of town houses. Both of the residential developments are now under condominium or co-operative ownership and both provide luxury housing which takes advantage of river views.

Sparta Brook runs between Scarborough Manor Apartments and Kemeys Cove Condominiums and was once the site of a mustard mill. This area is now under private ownership but could possibly be included in a waterfront - aqueduct walkway.

Kemeys Cove, a large tidal cove about 12 acres in size and very shallow, lies at the southern end of this waterfront area, adjacent to the Scarborough Railroad Station. The cove is a mud flat at low tide and popular as a stopping place for migratory birds. The north half of the cove is owned by Kemeys Cove Condominiums.

Most of the zoning in Sparta and to the south is residential with the shopping center zoned for business.

This section of the waterfront is convenient to shopping and to transportation. Many of the residents belong to active and concerned neighborhood associations or condominium groups.

Section III Waterfront Revitalization Program Policies

Development Policies

- POLICY 1** RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES, INCLUDING INCREASING PUBLIC ACCESS TO THE WATERFRONT.
- POLICY 1A** REDEVELOP THE SING SING PRISON PROPERTY IN A WAY WHICH CONTRIBUTES TO THE ECONOMIC AND RECREATIONAL GOALS OF THE COMMUNITY.
- POLICY 1B** CONTINUE TO REVITALIZE THE CRESCENT, OSSINING'S HISTORIC BUSINESS DISTRICT, AS WELL AS THE TARGET NEIGHBORHOODS TO THE IMMEDIATE NORTH AND SOUTH AND EXTEND REVITALIZATION ACTIVITIES DOWN MAIN STREET FROM THE CRESCENT TO THE RIVER. STREET AND INFRA-STRUCTURE IMPROVEMENTS WHERE NEEDED SHOULD BE EXTENDED THROUGHOUT THESE AREAS.
- POLICY 1C** REVITALIZE THE DOWNTOWN WATERFRONT AND LOWER SNOWDEN INDUSTRIAL AREA BY ENCOURAGING A VARIETY OF USES WHILE PROTECTING EXISTING WATER DEPENDENT USES, INCLUDING MARINAS.
- POLICY 1D** DEVELOP THE UPLAND AREA OF SNOWDEN IN MODERATELY LOW DENSITY RESIDENTIAL USES WHICH ARE DESIGNED TO REFLECT THE USES ON ADJACENT PROPERTIES AND TO PROTECT THE TOPOGRAPHIC FEATURES OF THE AREA.
- POLICY 1E** IMPROVE THE OLD CROTON AQUEDUCT SO AS TO ENCOURAGE MORE COMMERCIAL ACTIVITIES IN THE CRESCENT AREA WHICH WOULD BE GEARED TO SERVE VISITORS ATTRACTED BY THIS RECREATIONAL, EDUCATIONAL AND HISTORIC RESOURCE.

EXPLANATION OF POLICY

Although much of the Ossining waterfront area during the 1990's, especially at the north and south ends of the Village, experienced a surge of new construction, older developed sections of the central

waterfront area are currently undergoing restoration and revitalization. This policy focuses on these sections.

In responding to this policy, several other policies must be considered. These include Policy 2 on the siting of water-dependent and enhanced uses, Policy 5 on the location of development in areas of adequate public services and facilities, Policies 19, 20, 21 and 22 on public access and recreation, Policy 23 on the protection of historic resources and Policy 25 on scenic quality.

The following guidelines will be used in assessing proposed public and private actions affecting the revitalization of the waterfront:

1. Priority should be given to uses which are dependent on or enhanced by a location adjacent to the water. However, the following uses will also be allowed as long as they adhere to the special requirements and design standards cited in the Village's zoning law (see the Riverfront Development District [RDD] in Appendix B) including but not limited to restaurants, retail, office, and residential uses.
2. The action should enhance existing and anticipated uses.
3. The action should improve the potential for multiple use of the site.
4. The action should serve as a catalyst to private investment in the area.
5. The action should have the potential to improve the existing economic base of the community and, at a minimum, must not jeopardize this base. Actions which increase the tax base will be encouraged.
6. New development should complement and enhance the character of the area, with consideration given to density and intensity of use, siting, scale, architectural style, historic features of neighboring structures, and landscaping. (See RDD in Appendix B).
7. The rehabilitation of existing properties should be done in a way which complements the character of these properties and preserves and enhances any historic features which they may possess.
8. The action should improve adjacent and upland views of the river and, at a minimum, must not affect these views in an insensitive manner.
9. The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration.

POLICY 2

FACILITATE THE SITING OF WATER DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

POLICY 2A PROTECT EXISTING WATER DEPENDENT USES IN THE DOWNTOWN WATERFRONT AND FACILITATE THE SITING OF NEW WATER DEPENDENT AND ENHANCED USES AND FACILITIES ON THE DOWNTOWN WATERFRONT, ON THE PRISON LAND, AND AT SPARTA DOCK.

EXPLANATION OF POLICY

A water-dependent use is one which requires a waterfront location in order to function. A water enhanced use is defined as a use which has no critical dependence on a waterfront location; nonetheless, the use is more profitable and the enjoyment level of users is significantly greater by virtue of its location adjacent to the water. Only a small portion of Ossining's waterfront area which is west of the railroad tracks (see above Policy 2A) is available for water-dependent or enhanced uses. Originally the downtown waterfront was developed as a warehouse and shipping area. Now the primary existing (and potential) water-dependent or enhanced uses in Ossining are recreational, and the demand for these uses is growing.

Water-dependent uses which are appropriate to Ossining's present-day waterfront include: parks and recreational facilities for boating, fishing and swimming, marinas, commercial excursion and charter facilities, and marine educational facilities. Water-enhanced uses include: parks and recreational facilities such as pedestrian and bicycle trails, picnic areas, scenic overlooks, and passive recreational facilities areas that take advantage of coastal scenery, as well as restaurants oriented so that patrons can enjoy views of the river. More specifically, the following water-dependent and water-enhanced uses should be facilitated at the sites identified in Policy 2A:

1. Downtown waterfront - Marinas at appropriate locations, parks and recreational facilities, commercial excursion and fishing charter facilities, marine educational facilities and restaurants.
2. Prison property - same as above with a focus on facilities for tourists capitalizing on historic resources of the original Sing-Sing Prison.
3. Sparta Dock - park and recreational facilities for fishing, swimming and boating.

In developing or redeveloping properties immediately adjacent to the river in Ossining, water-dependent and enhanced uses should be given first priority. After these two types of uses, which are the focus of this policy, temporary non-water related uses should be allowed if there is no immediate demand for water-dependent or enhanced uses but a future use is reasonably foreseeable. (Temporary non-water dependent uses are those uses which do not involve an irreversible commitment of land - e.g. parking lots, outdoor storage, non-permanent structures). Finally, any other non-coastal related use could be allowed if all other reasonable possibilities are exhausted.

Guidelines to be followed in protecting or developing the above uses include:

1. New public or private water-dependent and enhanced facilities should be developed provided they are consistent with the preservation and enhancement of such

important coastal resources as fish and wildlife habitats, aesthetically significant areas, and historic and cultural resources, and provided demand exists.

2. Where possible and appropriate, new boating facilities should include parking, park-like surroundings, toilet facilities and pump-out facilities.
3. Temporary non-water related facilities should be adequately landscaped or otherwise buffered so that, to the greatest extent possible, they do not detract from nearby water-dependent or enhanced uses.
4. Siting and design of new facilities along the waterfront should be such that they do not create a barrier to recreational use of the shoreline or prevent reasonable enjoyment of a public recreational facility.
5. New water-dependent and enhanced uses should be located so as to enhance, or at least not to detract from, the surrounding community. For instance, residential uses should be protected from odors, noise and traffic.

POLICY 3 THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF THE STATE'S MAJOR PORTS IS NOT APPLICABLE TO OSSINING.

POLICY 4 THE STATE COASTAL POLICY REGARDING THE STRENGTHENING OF SMALL HARBORS IS NOT APPLICABLE TO OSSINING.

POLICY 5 ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE, EXCEPT WHEN SUCH DEVELOPMENT HAS SPECIAL FUNCTIONAL REQUIREMENTS OR OTHER CHARACTERISTICS WHICH NECESSITATE ITS LOCATION IN OTHER COASTAL AREAS.

EXPLANATION OF POLICY

Ossining is an almost fully developed community whose infrastructure is generally adequate to accommodate the amount of future development which is apt to take place in the waterfront area. It is important that those few remaining parcels, i.e. the large acre sites north of Snowden Avenue and also the prison site, be developed in ways which not only preserve open space and protect the natural features of the sites but also minimize impacts on the community as a whole. In particular new development should be designed to minimize the impact of traffic on Village streets and highways.

POLICY 6 EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.

EXPLANATION OF POLICY

For specific types of development activities and in areas suitable for such development, State and Village agencies will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures and programs are synchronized with other agencies' procedures at each level of government. Finally, regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

When proposing new regulations, an agency will determine the feasibility of incorporating the regulations within existing procedures, if this reduces the burden on a particular type of development and will not jeopardize the integrity of the regulations' objectives.

Fish and Wildlife Policies

POLICY 7 SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS IDENTIFIED ON THE COASTAL AREA MAP, SHALL BE PROTECTED, PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

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

A **habitat impairment test** must be met for any activity that is subject to consistency review under Federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If that proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific habitat impairment test that must be met is as follows:

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- destroy the habitat; or,
- significantly impair the viability of a habitat.

Habitat destruction is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area, or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

Significant impairment is defined as reduction in vital resources (e.g., food, shelter, living space) or change in environmental conditions (e.g., temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include, but are not limited to, reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The **tolerance range** of an organism is not defined as the physiological range of conditions beyond which a species will not survive at all, but as the ecological range of conditions that supports the species' population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include:

1. Physical parameters, such as living space circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. Biological parameters, such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and
3. Chemical parameters, such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

Significant coastal fish and wildlife habitats are evaluated, designated and mapped pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law of New York, Article 42). The New York State Department of Environmental Conservation (DEC) evaluates the significance of coastal fish and wildlife habitats, and following a recommendation from the DEC, the Department of State designates and maps specific areas.

POLICY 7A THE DESIGNATED COASTAL HABITAT AT THE CROTON RIVER AND BAY SHALL BE PROTECTED, PRESERVED AND, WHERE PRACTICABLE, RESTORED SO AS TO MAINTAIN ITS VIABILITY AS HABITAT.

EXPLANATION OF POLICY

The Croton River and Bay is located between the Villages of Ossining and Croton-on-Hudson in the Towns of Ossining and Cortlandt. The habitat includes an approximate one mile segment of the river and an approximate 1,200 acre shallow bay and mudflat area south of Croton Point. This habitat is one of the largest shallow bay areas in the lower Hudson River that is sheltered from strong river currents and, to some extent, from prevailing winds. Consequently, the area provides favorable habitat conditions for a variety of anadromous fish species, such as blueback herring, and also for resident warm water species, such as largemouth bass. (See Appendix A for the full description of the habitat).

Although not comprehensive, examples of generic activities and impacts which could destroy or significantly impair the habitat are listed below to assist in applying the habitat impairment test to a proposed activity.

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce flows, or increase water temperatures in Croton River and Bay would result in significant impairment of the habitat. Any physical alteration of the habitat, through dredging, filling or bulkheading would result in a direct loss of valuable habitat area.

Habitat disturbances would be most detrimental during fish spawning and incubation periods, which generally extend from April through July for most warmwater species. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants may result in significant adverse impacts on fish populations.

Similarly, spills of oil or other hazardous substances, and leachate of contaminated groundwater, constitute a potential threat to fish and wildlife in the bay. Of particular concern in this major tributary system are the potential effects of upstream disturbances, including water withdrawals, impoundments, stream bed disturbances, and effluent discharges. Establishment of minimum flow requirements for the Croton River up to the first impassable barrier to fish has had a significant beneficial effect on the area however, under drought conditions, releases from the New Croton Reservoir can be reduced to zero.

Existing areas of natural vegetation bordering Croton River and Bay should be maintained to provide bank cover, soil stabilization, perching sites, and buffer areas. However, development of public access to the bay area may be desirable to ensure that adequate opportunities for compatible human uses of the fish and wildlife resources are available.

POLICY 7B THE LOCALLY IMPORTANT COASTAL WILDLIFE HABITAT AT EDWARD M. WHEELER CRAWBUCKIE NATURE PRESERVE AREA SHALL BE PROTECTED AND PRESERVED, SO AS TO MAINTAIN ITS VIABILITY AS A HABITAT.

The Edward M. Wheeler Crawbuckie Nature Preserve Area is not likely to be designated as a habitat of statewide significance; however, the area is of local interest. The Edward M. Wheeler Crawbuckie Nature Preserve Area is a 12-acre parcel of dedicated passive park land located at the end of Beach Road on the Hudson River side of the roadway. In 2006 the Village expanded the park with

(respectively): (1) a 12-acre NYS Department of Transportation property; and (2) a 15-acre parcel, 95 percent of which is underwater and the remainder consist of a small piece of sandy land above the high-water mark. The remainder of the area is steeply sloped and heavily wooded with a number of unique trees and shrubs. There are nature trails running through the park which offer glimpses of the river. These trails occasionally wash out or are blocked by fallen trees.

The Edward M. Wheeler Crawbuckie Nature Preserve is the largest of the Village-owned properties, but it is little used and many Ossining residents are unaware of its existence. Although regular maintenance is needed to keep trails passable and improved marking of unique vegetation would increase the area's educational value, the use of the Edward M. Wheeler Crawbuckie Nature Preserve Area should remain passive in order to preserve the area as a quiet retreat for Ossining residents. Any development on the Dominican Sisters properties to the south and north respectively should be sited and screened so as to preserve the tranquility of the Edward M. Wheeler Crawbuckie Nature Preserve.

POLICY 8 PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIO-ACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

EXPLANATION OF POLICY

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive or toxic. More specifically, waste is defined in Environmental Conservation Law (Section 27-0901.3) as " waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (a) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or otherwise managed." A list of hazardous wastes has been adopted by DEC (6 NYCRR Part 371).

The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land and waters. Such controls should effectively minimize possible contamination of, and bio-accumulation in the State's coastal fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes, generated from point and non-point sources, and not identified as hazardous wastes but controlled through other State laws.

POLICY 9 EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION

**OF RENEWABLE FISH AND WILDLIFE RESOURCES AND
CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.**

EXPLANATION OF POLICY

In New York the primary responsibility for managing the State's fish and wildlife rests with the New York State Department of Environmental Conservation. Any efforts to increase recreational use of fish and wildlife, whether through private or public sector initiatives will have to be done in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include: biology of the species, carrying capacity of the habitat, public demand, costs and available technology.

The Town of Ossining has recently increased access for fishing with the opening of a public boat launching ramp at the Louis Engel Waterfront Park.

Policies 19 and 20 on public access should be considered when responding to this policy.

**POLICY 10 FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH AND
CRUSTACEAN RESOURCES IN THE COASTAL AREA BY:**

- (i) ENCOURAGING THE CONSTRUCTION OF NEW OR
IMPROVEMENT OF EXISTING ON SHORE COMMERCIAL
FISHING FACILITIES;**

- (ii) INCREASING MARKETING OF THE STATE'S SEAFOOD
PRODUCTS; AND**

- (iii) MAINTAINING ADEQUATE STOCKS AND EXPANDING
AQUACULTURE FACILITIES. SUCH EFFORTS SHALL BE
MADE IN A MANNER WHICH ENSURES THE
PROTECTION OF SUCH RENEWABLE FISH RESOURCES
AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON
THEM.**

EXPLANATION OF POLICY

Commercial fishing used to be important along the Ossining waterfront; however, this is no longer the case due primarily to the contamination of the striped bass. Should the industry be revived with the cleaning up of the Hudson River and the shutting down of local sewage treatment plants, Ossining will consider ways to support this activity along its waterfront.

Flooding and Erosion Policies

POLICY 11 THE STATE COASTAL POLICY REGARDING THE SITING OF STRUCTURES TO MINIMIZE DAMAGE FROM FLOODING AND EROSION IS NOT APPLICABLE TO OSSINING.

POLICY 12 THE STATE COASTAL POLICY REGARDING THE PRESERVATION OF EROSION AND FLOODING NATURAL PROTECTIVE FEATURES IS NOT APPLICABLE TO OSSINING.

POLICY 13 THE STATE COASTAL POLICY REGARDING THE CONSTRUCTION OF EROSION PROTECTION STRUCTURES IS NOT APPLICABLE TO OSSINING. A LOCAL POLICY, HOWEVER, IS SET FORTH BELOW.

POLICY 13A PREVENT EROSION OF FILLED LAND WEST OF THE RAILROAD TRACKS WITH EROSION PROTECTION STRUCTURES WHICH HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY YEARS AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.

EXPLANATION OF POLICY

Erosion protection structures are widely used throughout the State's coastal area. However, because of improper design, construction and maintenance standards, many fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss. Ossining has very little land west of the railroad tracks and most of this is fill. Since this land is essential to maintaining and developing water-dependent and enhanced uses on the Village's waterfront, it is very important that this vulnerable land be protected. Louis Engel Waterfront Park and Sparta Dock are public recreation areas, both built on filled land, which should be protected.

POLICY 14 ACTIVITIES AND DEVELOPMENT, INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT OR AT OTHER LOCATIONS.

EXPLANATION OF POLICY

Erosion and flooding are processes which occur naturally. However, by his actions, man can increase the severity and adverse effects of those processes causing damage to or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing run-off and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage in otherwise hazard-free areas.

In Ossining, this policy is particularly relevant to the remaining upland portion of the Snowden area, the large remaining undeveloped parcels north of Snowden and the prison property. These areas contain steep slopes which are susceptible to erosion. The following construction practices should be followed when undertaking development projects in all areas of Ossining's waterfront, but especially in those areas cited above:

1. Grading and development shall preserve salient natural features, keep cut fill operations to a minimum and insure conformity with topography so as to create the least erosion potential and adequately handle the volume and rate of velocity of surface water runoff.
2. Disturbed soils shall be stabilized as soon as practicable.
3. Temporary vegetation and/or mulching shall be used to protect exposed land areas during development.
4. The permanent (final) vegetation and mechanical erosion control measures shall both be installed within a specified time.
5. Provisions shall be made to dispose of the increased runoff caused by changed soil and surface conditions during and after development in a manner which minimizes danger of flooding. Where necessary, the rate of surface water runoff shall be mechanically retarded.
6. Until a disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps or similar measures.
7. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.
8. Cut and fills shall not endanger adjoining property nor divert water onto the property of others.

9. All fills shall be compacted to provide stability of material and to prevent undesirable settlement.
10. Fills shall not encroach on natural watercourses, constructed channels or floodway areas.
11. Fills placed adjacent to or having an impact upon natural watercourses, constructed channels or flood plains shall have suitable protection against erosion during periods of flooding.
12. No development shall take place in the floodway if such development shall raise the water surface elevation of the base flood at any point within the community.
13. During grading operations, appropriate measures for dust control shall be exercised.
14. Grading equipment shall not be allowed to enter into or cross any watercourse, except in accordance with Westchester County Best Management Practices Manual.

POLICY 15 MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.

EXPLANATION OF POLICY

Coastal processes, including the movement of beach materials by water, and any mining, excavation or dredging in nearshore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands. Offshore mining is a future alternative option to land mining for sand and gravel deposits which are needed to support building and other industries.

POLICY 16 PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE AND NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION OR EXISTING DEVELOPMENT AND ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

EXPLANATION OF POLICY

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

POLICY 17 WHENEVER POSSIBLE, USE NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE:

- (i) THE SET BACK OF BUILDINGS AND STRUCTURES;**
- (ii) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FENCING AND DRAINING;**
- (iii) THE RESHAPING OF BLUFFS; AND**
- (iv) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.**

EXPLANATION OF POLICY

This policy only applies to Ossining in terms of flooding and Flood Hazard Areas. Much of the land west of the railroad tracks is in a Flood Hazard Area. This land is generally man-made fill. For the most part, except in the "downtown waterfront" area, the FHA is very narrow. No Coastal Erosion Hazard Areas are likely to be designated in the Village. This policy recognizes the potential adverse impacts of flooding upon development and upon filled land in the coastal area west of the tracks. It also recognizes that structural measures to protect against those hazards tend to be expensive and are frequently not as effective as the measures listed above. Thus, the non-structural measures would be required in the planning, siting and design of proposed activities and development, if any one, or a combination of such measures, would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. The Federal Floodplain Management Guidelines implementing Executive Order 11988 should also be followed. Where non-structural measures would be insufficient to protect filled land, bulkheading would be allowed.

General Policy

POLICY 18 TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

EXPLANATION OF POLICY

Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the achievement of the purposes of the safeguards which the State has established to protect those waters and resources. Proposed actions must take into account the social, economic and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation and recreation.

Public Access Policies

POLICY 19 **PROTECT, MAINTAIN AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.**

POLICY 19A **ACCESS TO EXISTING PUBLIC WATER-RELATED RECREATIONAL FACILITIES, INCLUDING THE LOUIS ENGEL TOWN WATERFRONT PARK, SHALL NOT BE REDUCED. ACCESS TO SPARTA DOCK SHOULD BE IMPROVED BY THE ADDITION OF A SAFE TRACK CROSSING. ACCESS TO THE EDWARD M. WHEELER CRAWBUCKIE NATURE PRESERVE AREA SHOULD REMAIN AT CURRENT LEVELS.**

POLICY 19B **THE POSSIBILITY OF INCREASING PUBLIC ACCESS IN THE FUTURE TO THE WATERFRONT AT THE PRISON PROPERTY SHALL NOT BE ELIMINATED THROUGH THE LEASE, SALE OR OTHER TRANSFER OF THAT PORTION OF THESE PUBLIC LANDS WHICH WOULD BE NEEDED TO PROVIDE PUBLIC ACCESS TO THE WATERFRONT.**

POLICY 19C **THE BRIDGES AND STREETS WHICH ARE VITAL LINKS TO EXISTING AND POTENTIAL RECREATION RESOURCES AND FACILITIES ON OSSINING'S WATERFRONT SHALL BE MAINTAINED AND WHENEVER POSSIBLE IMPROVED.**

POLICY 19D **THE VILLAGE OF OSSINING'S PUBLIC WATER-RELATED RECREATIONAL FACILITIES SHOULD BE LINKED VIA A LINEAR TRAIL ALONG THE WATERFRONT. ALL NEW**

DEVELOPMENT IN THE) RIVERFRONT DEVELOPMENT DISTRICT (RDD) SHALL, WHERE REASONABLE, PRACTICAL AND APPROPRIATE, PROVIDE CONTINUOUS PEDESTRIAN ACCESS ALONG THE WATER'S EDGE AND/OR THROUGH THE SITE TO THE WATER.

POLICY 19E ALL NON-RESIDENTIAL DEVELOPMENT IN THE RIVERFRONT DEVELOPMENT DISTRICT (RDD) SHALL, WHERE REASONABLE, PRACTICAL AND APPROPRIATE, PROVIDE ACCESS TO THE WATER'S EDGE IN THE FORM OF RESTAURANTS, SHOPS OR MARINAS OPEN TO THE PUBLIC.

EXPLANATION OF POLICY

This policy calls for achieving balance among the level of access to a resource or facility, the capacity of the resource or facility, and the protection of natural resources. In Ossining, where the railroad separates the river from most of the municipality, it is especially important that the existing links be maintained and new links be developed.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities shall not be reduced nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access or unless such actions are found to be necessary or beneficial by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet systematic objectives.
 - a. A reduction in the existing level of public access includes, but is not limited to, the following:
 - (i) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
 - (ii) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced.
 - (iii) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.

- b. An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:
 - (i) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
 - (ii) Sale, lease or other transfer of public lands that could provide public access to a public water-related recreation resource or facility.
 - (iii) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.

In order to maintain the feasibility of a linear waterfront trail in Ossining, new development to be located between two public recreational facilities on the waterfront should, at a minimum, be designed so as not to impede future linear waterfront access.

- 2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accord with estimated public use.
 - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resources or facility.
- 3. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.
- 4. Criteria for PWRD special permit approval includes, among other restrictions, that at least 95% of the site frontage along the Hudson River shall be provided as permanent publicly accessible open space in the form of park areas, plaza, pedestrian promenades, boardwalk or other similar facility. At least 50% of the gross assembled parcel area under the PWRD shall be permanent publicly accessible open space, which shall incorporate all the Village's policies concerning waterfront access, especially park/public areas, pedestrian waterfront promenades, boardwalks or other similar facilities, and shall provide for unrestricted public access to the waterfront. All public space shall be secured in perpetuity by public easements and recorded deed restrictions running to the benefit of the people of Ossining.

In their plans and programs for increasing public access to public water-related resources and facilities, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation;

outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.

POLICY 20 ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY-OWNED SHALL BE PROVIDED AND IT SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

POLICY 20A ACCESS SHOULD BE INCREASED TO AND ALONG THE WATERFRONT IN THAT PORTION OF THE SING SING PRISON PROPERTY WEST OF THE MTA TRACKS WHENEVER A CHANGE IN CURRENT CIRCUMSTANCES WARRANTS AND WHETHER OR NOT THE PROPERTY REMAINS IN PUBLIC OWNERSHIP.

EXPLANATION OF POLICY

In coastal areas where there are little or no recreation facilities providing specific water-related recreational activities, access to the publicly-owned lands of the coast at large should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along a beach or a waterfront or to a vantage point from which to view the shore. Similar activities requiring access would include bicycling, birdwatching, photography, nature study, beachcombing, fishing and hunting.

For those activities, there are several methods of providing access which will receive priority attention of the Coastal Management Program. These include: the development of a coastal trails system; the provision of access across transportation facilities to the coast; the improvement of access to waterfronts in urban areas; and the promotion of mixed and multi-use development.

While such publicly owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent on-shore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security or the protection of fragile coastal resources.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are

demonstrated to be of overriding regional or statewide public benefit, or in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

2. The existing level of public access within public coastal lands or waters shall not be reduced or eliminated.
 - a. A reduction in the existing level of public access includes, but is not limited to, the following:
 - (i) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines or similar linear facilities.
 - (ii) Access is reduced or blocked completely by any public developments.
3. Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development, except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources; or (b) adequate access exists within one-half mile. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
4. The State and Village will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.
5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Urban Area boundary but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.
6. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resources or coastal lands. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

7. Criteria for PWRD special permit approval includes that at least 95% of the site frontage along the Hudson River shall be provided as permanent publicly accessible open space in the form of park areas, plaza, pedestrian promenades, boardwalk or other similar facility. Said open space shall have a depth of 20 feet measured from the bulkhead line or mean high water line if no bulkheading is present. All developments seeking a PWRD special permit shall provide continuous and improved pedestrian access along or through the site, as well as improved public access along the water's edge, including pedestrian walkways, open space areas and promenades. Where necessary for security purposes, reasonable restrictions on all publicly accessible open space may be imposed by the Village. No portion of land below the mean high water mark can be counted into calculations of allowable density under the PWRD special use.
8. The PW-a, PW-b, PW-c, PRD and CDD zoning districts (See Appendix B) provide zoning incentives for developments to provide publicly accessible open space and other recreational opportunities on their properties, regardless of the land use of the parcel.

Recreation Policies

POLICY 21 WATER DEPENDENT AND WATER ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED AND WILL BE GIVEN PRIORITY OVER NON-WATER RELATED USES ALONG THE COAST, PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

See Policy 2.

POLICY 22 DEVELOPMENT WHEN LOCATED ADJACENT TO THE SHORE WILL PROVIDE FOR WATER-RELATED RECREATION WHENEVER SUCH USE IS COMPATIBLE WITH REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND IS COMPATIBLE WITH THE PRIMARY PURPOSE OF THE DEVELOPMENT.

POLICY 22A IF THE TAPPAN FACILITY OF SING SING IS RELEASED FOR DEVELOPMENT, SOME WATERFRONT RECREATIONAL FACILITIES MUST BE DEVELOPED AS PART OF THE PROJECT.

EXPLANATION OF POLICY

Many developments present practical opportunities for providing recreational facilities as an additional use for the site or facility. Therefore, whenever developments are located adjacent to the shore they should, to the fullest extent permitted by existing law, provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development or a reasonable demand for public use cannot be foreseen.

In Ossining, the only large property directly on the river which might become available for development is the prison. Waterfront recreation facilities will be required as a portion of any proposed development with the type and extent depending on the proposed development as well as on legal constraints, environmental constraints, demand and reasonable safety considerations. Such considerations should reflect a recognition that some risk is acceptable in the use of recreational facilities.

The PW-a, PW-b, PW-c, PRD, CDD and RDD (See Appendix B) created zoning that provides incentives or the allowable uses for developments to provide publicly accessible, waterfront and other recreational opportunities on their properties.

The Village provides for and encourages the development of water-related recreation. The PWRD special permit use permits and encourages water-related recreation. Permitted uses under the PWRD special permit use include marinas and related uses such as boat dockage, club houses, locker rooms, equipment sales, eating facilities and boat service facilities, as well as commercial excursion and fishing charter facilities and marine educational facilities.

Historic and Scenic Quality Policies

POLICY 23 PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES OR THE NATION.

EXPLANATION OF POLICY

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archeological or cultural significance. The protection of these structures must involve recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance and with the area around specific sites. The policy is not to be construed as a passive mandate but must include active efforts when appropriate to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship.

Within Ossining it is especially important to protect and enhance the following resources:

1. the State-owned death house and original cell block which comprise a portion of Sing Sing Prison;
2. the downtown waterfront/dock area;
3. the guard tower at Engel Park;
4. the historic "Crescent" shopping area;
5. the Sparta area (the only locally designated historic district);
6. National Register Properties:
 - a. Old Croton Aqueduct and Double Arch
 - b. First Baptist Church
 - c. Calvary Baptist Church
 - d. Squire House
 - e. Brandreth Pill Factory
 - f. Jug Tavern
7. Archeologically sensitive resources on the New York State Archeological Site Location Map.

Guidelines:

1. Take all practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities or the Nation, including the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas or sites. A significant adverse change includes, but is not limited to:
 - a. Alteration of or addition to one or more of the architectural, structural, ornamental or functional features of a building, structure or site that is a recognized historic, cultural or archeological resource or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entry ways and doors; fenestration; lighting fixtures; roofing; sculpture and carving; rails; fencing; windows; vents and other openings; grillwork; signs; canopies; and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)
 - b. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural or archeological resource or component thereof to include all of those features described in (a) above plus any other appurtenant fixture associated with a building, structure or earthwork.

- c. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural or archeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural or archeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design, material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts this would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.
2. The distinctive and historical character of Ossining's Historical and Architectural Design Districts (Sparta is the only designated district at present) and Historic Landmarks shall not be injuriously affected, and the value to the community of buildings having architectural and historical worth shall not be impaired. Alterations to buildings and property within Historical and Architectural Design Districts which detract from existing harmonious relationships insofar as style, material, color, line and detail are concerned shall be prevented. Proposed construction, reconstruction or alteration of an exterior architectural feature shall be reviewed in terms of the following factors: historical and architectural value and significance, architectural style, general design, arrangement, texture, material and color of the exterior architectural feature involved and the relationship thereof to the exterior architectural features of other structures in the immediate neighborhood.
3. This policy shall not be construed to prevent the construction, reconstruction, alteration or demolition of any building, structure, earthwork or component thereof of a recognized historic, cultural or archeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archeological resource which does not involve a significant adverse change to the resource as defined above.
4. Given the possibility of archaeologically significant sites within Ossining's waterfront area, public agencies shall contact the New York State Historic Preservation Officer to determine appropriate protective measures to be incorporated into development decisions.

POLICY 24 **THE STATE COASTAL POLICY REGARDING SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE IS NOT APPLICABLE TO OSSINING.**

POLICY 25 **PROTECT, RESTORE OR ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.**

POLICY 25A **PROTECT AND ENHANCE VIEWS FROM ROUTE 9 AND REVOLUTIONARY ROAD.**

POLICY 25B **PROTECT AND ENHANCE VIEWS FROM THE CRESCENT AND WATERFRONT AREA TOWARD THE HUDSON RIVER**

EXPLANATION OF POLICY

The Village of Ossining is in large part developed with a limited amount of open space remaining to the north of the Village Center. Much of this open space consists of lawns, woods, steep slopes and gullies. It provides welcome relief from built-up portions of the community and affords opportunities for views of the Hudson River and Palisades. Route 9 is the major thoroughfare in the Village providing access to the visual resources of its waterfront area. This road and also Revolutionary Road from Route 9 to Rockledge Avenue, were considered for designation under the State Scenic Roads Program, which has as its goals the protection and enhancement of the visual quality of the State's roads and the views one gets from them. Although these two road segments were not designated in the first round of designations, the following elements along these roads, as identified in the Scenic Roads inventory, are nonetheless of special importance in creating an impression of the visual character of Ossining:

1. Sparta Cemetery
2. Crescent Area
3. Historic Buildings and Sites
4. Views of the Hudson River and Palisades
5. Rock Outcroppings
6. Stone Walls
7. Significant Trees
8. Parks
9. Decorative Sidewalks

Other heavily frequented areas within the waterfront are also important in forming the overall visual impression of the community. These include:

1. The railroad station area
2. The downtown waterfront
3. The Old Croton Aqueduct ROW

Some of the above areas, e.g. the Route 9 corridor and the railroad station area, are in need of visual upgrading.

When considering a proposed action or development, reasonable steps should be taken to ensure that the action will not seriously impair the visual quality of the Ossining waterfront area. The following siting and design guidelines should be used to ensure the protection, restoration or enhancement of the visual quality of this area wherever possible. It should be recognized that each development situation is unique and that the guidelines will have to be applied accordingly. They include:

1. Site structures and other development such as highways, power lines and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore.
2. Cluster or orient structures to retain views, to save open space and attractive natural features and to provide visual organization to a development. When development is proposed for the PRD, CDD and OR, open space shall be designed wherever possible to preserve the natural features of a site including but not necessarily limited to, water bodies, wetlands, steep slopes, hilltops, ridgelines, views to and from the Hudson River, major stands of trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value, to utilize such features in a harmonious fashion and to enhance the visual appearance of the development. Active and passive recreation areas shall be provided, including private open space adjacent the dwelling units. In the event that common space is provided, it may be left in its natural state.
3. Prevent, wherever possible, the blocking of views of the Hudson River from upland areas and the obliteration of the natural profile of the Eastern Palisade from the river. The PW-a, PW-b, PW-c, RDD and CDD districts are intended to accomplish this objective through limitation of heights and discouraging development on existing steep slopes but where development must take place on existing steep slopes discouraging cut and fill by building into the hillsides with the existing topography of the land.
4. New highway and building construction along Route 9 should, where feasible, open up potential views while giving consideration to the effect this will have on neighboring properties in regard to noise.
5. Incorporate sound, existing structures (especially historic buildings) into the overall development scheme.
6. Preserve and maintain the appearance of Historical and Architectural Design Districts. See Policy 23.
7. Encourage distinguished architectural expression throughout Ossining and prevent excessive uniformity, dissimilarity, inappropriateness or poor quality of design in the exterior appearance of buildings.

8. Remove deteriorated and/or degrading elements.
9. Maintain or add vegetation to provide interest, encourage the presence of wildlife, blend structures into the site and obscure unattractive elements except when selective clearing removes unsightly, diseased, or hazardous vegetation, and when selective clearing creates views of coastal waters. To the maximum extent possible, insure that trees over 8 inches in diameter, measured 3 feet above the base of the trunk, are retained.
10. Require that all new development screen playgrounds, parking and service areas from the view of adjacent residential lots and streets and choose landscaping that is in character with that generally prevailing in the neighborhood.
11. Maintain or restore the original land form, except when changes screen unattractive elements and/or add appropriate interest.
12. Signage should be consistent, informative and attractive and should not interfere with the scenic quality of the area. Signs shall be stationary and made of permanent materials.

Agricultural Lands Policy

POLICY 26 THE STATE COASTAL POLICY REGARDING PROTECTION OF AGRICULTURAL LANDS IS NOT APPLICABLE TO OSSINING.

Energy and Ice Management Policies

POLICY 27 DECISIONS ON THE SITING AND CONSTRUCTION OF MAJOR ENERGY FACILITIES IN THE COASTAL AREA WILL BE BASED ON PUBLIC ENERGY NEEDS, COMPATIBILITY OF SUCH FACILITIES WITH THE ENVIRONMENT AND THE FACILITY'S NEED FOR A SHOREFRONT LOCATION.

EXPLANATION OF POLICY

Demand for energy in New York will increase, although at a rate slower than previously predicted. The State expects to meet these energy demands through a combination of conservation measures; traditional and alternative technologies; and use of various fuels, including coal, in greater proportion.

A determination of public need for energy is the first step in the process for siting new facilities. The directives for determining this need are set forth in the New York Energy Law. With respect to transmission lines, Article VII of the State's Public Service Law requires additional forecasts and establishes the basis for determining the compatibility of these facilities with the environment and the necessity for a shorefront location. With respect to electric generating facilities, environmental

impacts associated with siting and construction will be considered by one or more State agency or, if in existence, an energy siting board. The policies derived from these proceedings are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. The Act is used for the purposes of ensuring consistency with the State Coastal Management Program and this Local Waterfront Revitalization Program.

In consultation with the Village of Ossining, the Department of State will comment on State Energy Office policies and planning reports as may exist, present testimony for the record during relevant proceedings under State Law and use the State SEQRA and DOS regulations to ensure that decisions on other proposed energy facilities (other than those certified under the Public Service Law) which would impact the waterfront area are made consistent with the policies and purposes of this Local Waterfront Revitalization Program. Since Ossining has relatively small areas of remaining open space, it is not likely that the Village would be considered as a site for a major energy facility.

POLICY 28 THE STATE COASTAL POLICY REGARDING ICE MANAGEMENT IS NOT APPLICABLE TO OSSINING.

POLICY 29 THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF OFF-SHORE ENERGY RESOURCES IS NOT APPLICABLE TO OSSINING.

Water and Air Resources Policies

POLICY 30 MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.

EXPLANATION OF POLICY

Municipal, industrial and commercial discharges include not only "end-of-the-pipe" discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through municipal treatment systems before reaching the State's waterways.

POLICY 31 STATE COASTAL AREA POLICIES AND MANAGEMENT OBJECTIVES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS HOWEVER, THOSE WATERS ALREADY OVER-BURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.

EXPLANATION OF POLICY

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. Any planning for water related uses must consider the present and potential future water quality of the body of water in question. Sparta Brook and the Sing Sing Kill are unsuitable for recreational use due to their "D" classification, steep grade and unusually shallow water. Nonetheless, they are being considered for upgrading as part of a generic upgrading of all perennial streams to reflect the fact that nearly all are capable of sustaining at least some fish life. Still, though recent sewer work has reduced contamination, it is unlikely that their water related use will ever exceed their current ability to provide bait for local fisherman.

The Hudson River has an overall classification of "B" which means it is suitable for swimming. It is hoped that the water in the PAL Beach area of the Louis Engel Waterfront Park will soon meet County standards for swimming.

POLICY 32 THE STATE COASTAL POLICY REGARDING THE USE OF ALTERNATIVE SANITARY WASTE SYSTEMS IS NOT APPLICABLE TO OSSINING.

POLICY 33 BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

EXPLANATION OF POLICY

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. The steep slopes in Ossining do at times cause stormwater run-off problems but this situation has been handled over the years by storm sewers with only occasional overflow problems. More recently, new developments have been required to install retention basins so that stormwater will percolate into the soil and not increase run-off.

As a condition for tying into the new sewage treatment plant in Ossining, the Village was required to separate its sanitary and stormwater collection systems.

Guidelines:

1. Stormwater runoff during and following any new construction shall be equal to or less than runoff prior to construction.
2. Stormwater shall be handled in such a way that it does not infiltrate and over-burden sewer lines and cause overflows into the Hudson River.

POLICY 34 DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS FROM VESSELS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.

POLICY 34A ANY NEW OR EXPANDED MARINAS SHALL INCLUDE PUMPOUT FACILITIES OR INSURE THAT THEIR CLIENTS HAVE ACCESS TO SAME.

EXPLANATION OF POLICY

Discharge of sewage, garbage, rubbish and other solid and liquid materials from watercraft and marinas into the State's water is regulated. Priority will be given to the enforcement of this law in areas such as shellfish beds and other significant habitats, beaches and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the New York State Department of Environmental Conservation (6 NYCRR, part 657). The Croton River and Bay Significant Fish and Wildlife Habitat, as well as several locations on the Hudson River proposed for swimming, would be particularly sensitive to waste discharges.

POLICY 35 DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS AND WETLANDS.

EXPLANATION OF POLICY

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging projects however, may adversely affect water quality, fish and wildlife habitats, wetlands and other important coastal resources. These adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site.

Dredging permits will be granted after it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law (Articles 15, 24, 25 and 34) and are consistent with policies pertaining to the protection of coastal resources (State Coastal Management policies 7, 15, 24, 26 and 44).

POLICY 36 ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS, ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.

The NYS Environmental Conservation Law (Section 37-0101.2) defines materials hazardous to the environment as "substances which, because of their toxicity, magnification or concentration within biological chains, present a demonstrated threat to biologic life cycles when discharged into the environment."

POLICY 37 BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.

See Policy 14.

POLICY 38 THE QUALITY AND QUANTITY OF SURFACE WATER AND GROUNDWATER SUPPLIES WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATERS CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.

EXPLANATION OF POLICY

Surface and groundwater are the principal sources of drinking water in the State and therefore must be protected. Although these are not Ossining's primary sources of water at the present time, they must be protected for possible use by this or other communities.

POLICY 39 THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT AGRICULTURAL LANDS AND SCENIC RESOURCES.

EXPLANATION OF POLICY

The definitions of terms "solid wastes" and "solid waste management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris, and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive or toxic. More specifically, waste is defined in Environmental Conservation Law (Section 27-0901.3) as "waste or combination of wastes which because of its quantity, concentration or physical, chemical or infectious characteristics may: (a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or otherwise managed." 6NYCRR Part 371 lists hazardous wastes.

The disposal and treatment of solid wastes can lead to the contamination of water resources, the filling of wetlands, atmospheric loading and the degradation of scenic resources. At the present time there is no disposal, storage or treatment of solid wastes within Ossining and the only transport is local garbage pick-up or the use of Routes 9 and 9A, both State roads, for truck transport. Any future landfill activity will be confined to clean fill and will be regulated so as not to lead to any of the problems described above.

POLICY 40 EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.

EXPLANATION OF POLICY

A number of factors must be considered when reviewing a proposed site for facility construction. One of these factors is that the facility not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health and public enjoyment of the receiving waters.

The effects of thermal discharges on water quality and aquatic organisms will be considered by State agencies or, if applicable, a siting board when evaluating an applicant's request to construct a new electric generating facility.

POLICY 41 LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.

EXPLANATION OF POLICY

New York's Coastal Management Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State Laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the coastal area.

To the extent possible, the State Implementation Plan will be consistent with coastal lands and water use policies. Conversely, coastal management guidelines and program decisions with regard to land and water use and any recommendations with regard to specific sites for major new or expanded industrial, energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

The Department of Environmental Conservation will allocate substantial resources to develop a regulatory and management program to identify and eliminate toxic discharges into the atmosphere. The State's Coastal Management Program will assist in coordinating major toxic control programming efforts in the coastal regions and in supporting research on the multi-media nature of toxics and their economic and environmental effects on coastal resources.

POLICY 42 COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREAS PURSUANT TO THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS OF THE FEDERAL CLEAN AIR ACT.

EXPLANATION OF POLICY

The policies of the State and Local Waterfront Revitalization Programs concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action to change prevention of significant deterioration land classifications in coastal regions or adjacent areas.

In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon State and Local Revitalization Waterfront Programs.

POLICY 43 LAND USE OR DEVELOPMENT IN THE COASTAL AREA MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF THE ACID RAIN PRECURSORS: NITRATES AND SULFATES.

EXPLANATION OF POLICY

The New York Coastal Management Program incorporates the State's policies on the acid rain. As such, the Coastal Management Program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

POLICY 44 PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

EXPLANATION OF POLICY

There are no tidal wetlands in Ossining. There are several small freshwater wetlands, the most notable being at the Edward M. Wheeler Crawbuckie Nature Preserve Area and at Kemeys Cove on the Village's southern waterfront. Both of these wetland areas should be preserved and protected.

Freshwater wetlands include marshes, swamps, bogs and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the N.Y.S. Freshwater Wetlands Act and the N.Y.S. Protection of Waters Act. The benefits derived from the preservation of these wetlands include, but are not limited to:

1. habitat for wildlife and fish, including a substantial portion of the State commercial fin and shellfish varieties and contribution to associated aquatic food chains;
2. erosion, flood and storm control;
3. natural pollution treatment;
4. groundwater protection;
5. recreational opportunities;
6. educational and scientific opportunities; and
7. aesthetic open space in many otherwise densely developed areas.

Section IV Proposed Land and Water Uses & Proposed Public and Private Projects

A. Proposed Land and Water Uses

1. Narrative Description of Proposed Uses by Sections of the Waterfront

See [Map 16 - Proposed Land and Water Uses](#).

(a. Section A. Unincorporated Town of Ossining is not included in LWRP)

b. Section B. Village of Ossining - Northern Waterfront

The Northern Waterfront is zoned CDD, OR, PRD, S-75, S-125, NC-1 or GB. Low-moderate density housing (2-8 units/acre), senior living facilities, office and research facilities, clubhouses, community centers, hotels, conference centers and places of worship are the recommended uses for the undeveloped and under developed parcels. Other business and commercial uses are permitted in the GB and NC-1 districts. These uses fit the rugged topography that characterizes much of the land. The residential development consists of condominiums taking advantage of the river views. The other non-residential land uses identified for this area will provide needed jobs and property tax revenues without putting any added strain on local schools. A clustering of structures will be promoted so that development is confined to the more level open portions of land while preserving the steep ravines and other natural areas. Due to soil instability and proximity to the Edward M. Wheeler Crawbuckie Nature Preserve Area, that portion of the Dominican Sisters' land that is a recent landfill site should be preserved as open space.

No changes are proposed for the developed portions of the waterfront.

c. Section C. Edward M. Wheeler Crawbuckie Nature Preserve Area

The Edward M. Wheeler Crawbuckie Nature Preserve Area should remain essentially as it is; a quiet area of nature trails.

d. Section D. The Snowden Area

The area is predominately zoned for CDD and T. Low-moderate density housing (up to 8 units per acre) is the recommended use for the undeveloped, upland section of the Snowden area. Most of this land is heavily wooded and quite rugged with deep ravines carrying intermittent streams into the Hudson River. As the land drops off to

the west of this and lies adjacent to the Edward M. Wheeler Crawbuckie Nature Preserve Area, it should be kept in its natural state and used as an extension of the nature area for the enjoyment of all and the preservation of the unique plantings that exist there. With regard to land use in the lowland section of Snowden close to the river, see the description of uses under Section F.

e. Section E. The Crescent

The Crescent area should remain Ossining's central business district, designated so by the new VC (Village Center) zone. It is proposed that the Village owned parcels located on both sides of Main Street be developed as new infill buildings, a green space and parking area. Since the Crescent has been included within the boundaries of the State Heritage Area system, it is also proposed that it be developed as a tourist attraction in accord with the Heritage Area Management Plan.

The more westerly portion of the Crescent area is now zoned for Planned Waterfront Development and two-family residences and should be developed in ways which take advantage of the river views from Hunter Street and the proximity of the area to the railroad station.

f. Section F. The Downtown Waterfront

Planned mixed use development is proposed for this section of the waterfront. Uses would include water-dependent uses as well as certain non-water-dependent commercial, recreational and residential uses. Water dependent uses would include the following:

- Water recreational activities such as fishing, boating, kayaking, beaches, etc.;
- Docking, mooring and launching facilities; and
- Marinas and water craft rental and retail uses.

Objectives for uses on the Downtown Waterfront would be:

- protecting existing water-dependent uses and providing for new water-dependent uses such as the two marinas currently located in the Downtown Waterfront;
- providing greater public access to the waterfront;
- providing for a mix of commercial, recreational and residential uses and allowing existing commercial uses to continue.

A gradual upgrading of the area is envisioned with the uses becoming more waterfront and people oriented.

g. Section G. The Spring Street Neighborhood

This area should remain a residential neighborhood.

h. Section H. The Sing Sing Correctional Facility

Once the prison property is released, it should become a water-dependent use, residential, and commercial area. Uses would include water-dependent uses, as well as certain non-water-dependent commercial, recreational and residential uses. Water dependent uses would include the following:

- Water recreational activities such as fishing, boating, kayaking, beaches, etc.;
- Docking, mooring and launching facilities; and
- Marinas and water craft rental and retail uses.

Housing on the eastern portion would be compatible with the surrounding neighborhood and would take advantage of the river views. Office/retail use could be located nearer the railroad tracks with the slopes acting as a natural buffer. That portion of the prison property west of the tracks should be developed, at least in part, for recreational use to include a public park area, construction of a RiverWalk trail, and commercial water related and water dependent facilities. A marina could be located in the protected waters off the south side of the property.

i. Section I. The Southern Waterfront

This should remain a primarily residential section of the waterfront with Sparta Park serving its passive recreational needs. The Sparta Dock area should be used primarily for fishing and, as the river becomes cleaner, for swimming. The historic properties in the area have received local State and Federal recognition.

The retail area adjacent to Route 9 should remain commercial.

j. Section J. The Briarcliff Manor Waterfront - not included in LWRP

B. Proposed Public and Private Projects

This part of the LWRP is divided into two sections. Section 1 is a listing of the proposed projects by section of the waterfront. Many of these are long term projects. In Section 2, the most critical projects are examined in detail with proposals for their implementation. (These projects are marked with an asterisk in Section 1.)

1. Summary and List of Proposed Projects

a. Section A. Unincorporated Town of Ossining - not included in LWRP

b. Section B. Village of Ossining - Northern Waterfront

- *1) Minor improvement of the Old Croton Aqueduct Linear Park. (See B.2.a)
- 2) Establish RiverWalk in the various sections of the Northern Waterfront especially the undeveloped or underdeveloped areas.

- c. Section C. Edward M. Wheeler Crawbuckie Nature Preserve Area (B.2.b)
 - * 1) Clear and improve trails; remark and create new trails to improve education aspects of the park and locate a small rustic shelter/-bulletin board near the park entrance.
 - 2) Increase the total acreage of preserved parkland of the Edward M. Wheeler Crawbuckie Nature Preserve Area when possible.

- d. Section D. The Snowden Area
 - *1) Careful development of the undeveloped properties off Snowden Avenue. (B.2.c.)
 - *2) Minor improvements to the Old Croton Aqueduct Linear Park including work on the weir chamber north of Snowden Park. (B.2.a.)
 - 3) Establish RiverWalk and linkages to the Edward M. Wheeler Crawbuckie Nature Preserve Area in the various sections of the Snowden area, especially the undeveloped or underdeveloped areas.

- e. Section E. The Crescent
 - *1) Create infill development, a new Village green and municipal parking for the Village owned properties. (B.2.d.)
 - *2) Continue the infrastructure improvements (see B.2.e).
 - *3) Make needed improvements to the Aqueduct Linear Park (see B.2.c). Look into possible sources of grant money.

- f. Section F. The Downtown Waterfront
 - *1) Encourage revitalization in the Planned Waterfront Development Zones. (B.2.g.)
 - *2) Continue improvements to Louis Engel Waterfront Park (see B.2.f).
 - 3) Screen the railroad tracks, improve the streetscape around the station and connections to the downtown.
 - 4) Improve the parking situation (see B.2.b.).
 - 5) Establish RiverWalk and improve public access to the waterfront in the various sections of the Downtown Waterfront.

- g. Section G. The Spring Street Neighborhood
No Projects
- h. Section H. The Sing Sing Correctional Facility
 - 1) If possible, establish RiverWalk and improve public access to the waterfront.
- i. Section I. The Southern Waterfront
 - *1) Continue to apply for grants or other opportunities for a pedestrian crossing of the railroad tracks to make Sparta Dock area safely accessible. (See B.2.g)
 - 2) Preserve the old mine openings by stabilizing the mine walls, installing a grate to prevent people or animals from falling into the mine, and erecting a sign to explain the importance of mining in Ossining's past.
 - 3) If feasible, develop a trail between Scarborough Manor Apartments and Kemeys Cove Condominiums as part of the circular walkway.
 - 4) Establish RiverWalk and improve public access to the waterfront in the various sections of the Southern Waterfront.
- j. Section J. The Briarcliff Manor Waterfront - not included in LWRP

2. Individual Projects Critical to the Revitalization of the Waterfront

It has been, and continues to be, critical to the revitalization of the Ossining waterfront area that the infrastructure be improved, that the public areas be spruced up, that the image of the area be changed to interesting and historic rather than old and dilapidated, and that public access to and appreciation of the river be increased.

Following are some individual projects, either underway or being planned, which are important to the above goals.

a. **Aqueduct Linear Park Improvements**

The Old Croton Aqueduct runs through most of the Ossining Waterfront Area in a north-south direction. It provides Ossining's State Heritage Area with one of its two major resources as well as providing a public right-of-way through the Village.

Over the past fifteen years, the Village of Ossining has been leasing portions of the aqueduct land from the State and transforming it into a linear park. An overlook park has been constructed on some of this leased land so that people can safely view the Double Arch and the deep gorge of the Sing Sing Kill. In addition, a weir chamber at the north end of Ossining's aqueduct bridge has been fitted with stairs, railings and

lighting in order to provide public access into the conduit through which the Croton River water flowed into New York City. (See Section II).

Additional improvements to the Old Croton Aqueduct are included in the Ossining Heritage Area Management Plan.

b. Edward M. Wheeler Crawbuckie Nature Preserve Area and RiverWalk

Trail and signage improvements to the Edward M. Wheeler Crawbuckie Nature Preserve Area are proposed which would make it possible for the average walker to enjoy its peaceful atmosphere, unique plantings and wonderful views of the Hudson River.

The former trail work at the Edward M. Wheeler Crawbuckie Nature Preserve Area was performed by CETA crews working with enthusiasm but no professional direction. These paths quickly deteriorated in the steeper areas and in parts where crossed by natural drainage paths. Crudely constructed steps and bridges soon washed out making some trails impassable.

It is now proposed that the trails be laid out by a professional landscape architect who would also supervise the work as it was being done. The architect would design a series of stepped ramps where needed and would include drainage controls to protect them. New plantings would secure unstable embankments. The ravine would be crossed by a prefabricated bridge and the Edward M. Wheeler Crawbuckie Nature Preserve Area linked up with the area to be left in its natural state. A viewing area would be developed where the trees open up and the river appears in all its glory. A small rustic shelter/bulletin board might be located here or near the park entrance. Trail markers would direct walkers and would identify plantings of special interest.

This project can stand on its own or can be viewed as a major step in a larger plan to create a RiverWalk throughout the Village of Ossining.

The Westchester County RiverWalk is a planned 46.6-mile pathway paralleling the Hudson that links village centers, historic sites, parks and river access points via a connection of trails, esplanades and boardwalks. It spans 14 municipalities in Westchester, from the Town of Cortland border with Putnam County south to the City of Yonkers border with New York City and is part of the Hudson River Valley Greenway system. RiverWalk will be developed through a series of projects constructed by the County, local municipalities and other entities, including private developers. Due to riverfront obstructions such as Sing Sing and the County Treatment Plant as well as the ownership of private property along the water, the County planned for RiverWalk to travel through Ossining along the riverfront, where possible, and along the existing Aqueduct trail and Village streets or public land where riverfront land was currently inaccessible to the public.

Since Ossining already has an existing linear park running through its boundaries, the Old Croton Aqueduct, this opens up the many alternatives for the path of RiverWalk. The Village is still in the process of defining the path of RiverWalk through the Village. The County Plan begins the Ossining portion of the trail at the north end of the Village at the “Crossing” bike/pedestrian path over the Croton River outlet to the Hudson River. The trail would continue south along the west side of Route 9 and at the intersection near Audubon Drive, where the trail begins to follow the historic Old Croton Aqueduct south for 1.2 miles to the Main Street intersection in downtown Ossining.

Current plans have the trail leading from Route 9 and heading towards the Mariandale Convent of the Dominican Sisters of Hope who, in 2006, started working with the Village and the County to create a 20- to 30-foot wide easement around the perimeter of their property for RiverWalk and connect with the Crawbuckie trail. The trail at the Mariandale property would also connect with the Old Croton Aqueduct trail in the northern end of the property, which would connect to Main Street. The southern connection would traverse through the Edward M. Wheeler Crawbuckie Nature Preserve Area and connect with either Water Street or Snowden Avenue. It would then cross over the Metro-North tracks at the intersection of Snowden Avenue. The trail goes south on Westerly Road, passes through the future public park at the One Harbor Square development, then crosses over the railroad tracks at the Ossining Metro-North train station to Main Street. There is also a link to the existing promenade at Louis Engel Park, but the existence of the prison facility and wastewater treatment obstruct further development of the promenade at this time and the current route essentially stops at Engel Park and loops back to Main and eastward to Hunter Street to avoid these two land uses, before running south again. However, the Village is looking at alternatives that would hopefully include RiverWalk along Sing Sing and the Westchester County Wastewater Treatment Plant properties in the future. This would include a potential alternate route directly on the waterfront, south of Engel Park through the wastewater treatment plant, Sing Sing Correctional facility and Metro-North lands to Sparta Park. This alternate route would require construction of a new bridge to cross over the Metro-North lands from the Sparta Park waterfront to Liberty Street as well as an agreement with Sing Sing to use its waterfront property.

From the Ossining station waterfront area, the route proceeds south along Hunter Street, and then winds down the Sing Sing Correctional Facility Perimeter Access Road. At State Street, the route continues south along Lafayette and Spring Streets to Liberty Street and Sparta Park. The County planned for the trail to continue from Sparta Park along Hudson Road, Liberty Road, Rockledge Avenue, Revolutionary Road and Kemey Avenue to the Village line near Scarborough Station. However, the Village is investigating to see if a portion of RiverWalk can be developed between the railroad tracks and the river along the shoreline between Scarborough Station to Sparta Park.

c. Village-owned Downtown Properties

The Village is looking to create infill development, and a Village green for the downtown Crescent. This would revitalize the Crescent with additional workers and visitors while adding to the parking rather than placing an added strain on an already tight parking situation.

d. CBD (Crescent) Infrastructure Improvements

The streets and sidewalks have been rebuilt in the historic downtown shopping area of Ossining. These improvements include new water mains, as well as sanitary and storm sewers, and are designed to be able to handle new development, as well as encourage it through a more attractive streetscape. A decorative brick strip has been added along sidewalks and trees are being planted. This work has been completed along Main Street from Route 9 west to State Street and along Church Street. The southern end of Brandreth Street has been completed and Spring Street and State Street have been rebuilt as far south as Broad Avenue. Improvements to Main Street from State Street down to the railroad station need to be done, including trees, benches and signage indicating the way to the railroad station and waterfront park.

Parking needs to be addressed in the downtown area and near the station. A parking structure has been proposed for the downtown and provisions for station parking should to be addressed on a regional basis.

e. Waterfront Development Districts

Ossining has added eight new Waterfront Districts (SP-N, SP-S, CDD, RDD, IR, PWa, PW-b, and PW-c) to its Zoning Law, The objectives of the waterfront development zones are to permit a variety of riverfront related uses and to encourage a mix of such uses while further encouraging public access and use of the area. A further objective is to facilitate the assemblage of sites and redevelopment of substandard areas with uses more appropriate to their location near the river. The furtherance of these objectives can have a notable effect on the revitalization of the Ossining waterfront. The Village has adopted a Planned Waterfront and Railway Development (PWRD) overlay with uses subject to the special permit approval by the Village Board pursuant to specific criteria.

f. Louis Engel Waterfront Park Improvements

The Town of Ossining has recently completed a stabilization of the shoreline. . These include a boating/fishing dock, spray deck, increased picnicking facilities, further landscaping, playground, a pavilion, improvements to the guard tower and possibly a restaurant. Directional signage to the park will be added. Parking for the Waterfront Park will be studied along with the other serious parking problems in the area.

g. Access to Sparta Dock

A feasibility study of various types of track crossings and preliminary engineering and design work necessary to provide a safe track crossing to Sparta Dock has been completed. The approximate costs to fund the pedestrian crossing are now in the millions.

Section V Techniques for Local Implementation of the Program

A. Local Laws and Regulations Necessary to Implement the LWRP

1. Existing local laws and regulations

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

a. **Appendix C: Subdivision Regulations**

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

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

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

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

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

Planned Residence District (Section 270-12)

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

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

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

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

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

Development District (Section 270-19)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Institutional Redevelopment (IR) (Section 270-24)

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

Other Districts in the Waterfront Area

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

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

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

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

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

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

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

Cluster Development (Section 270-36)

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

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

Old Croton Aqueduct (Section 270-37)

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

Zoning Board of Appeals (Article IX)

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

Planning Board (Article X)

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

Village Board/Special Permits (Article XI)

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

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

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

Board of Architectural Review (Article XII)

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

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

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

d. Environmental Advisory Council (Chapter 119)

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

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

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

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

f. Conservation of Freshwater Wetlands (Chapter 149)

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

g. Environmental Quality Review (Chapter 118)

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

h. Excavations and Fill (Chapter 122)

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

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

i. Garbage, Trash and Refuse (Chapter 225)

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

j. Sewers and Sewage Disposal (Chapter 259)

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

k. Flood Damage Prevention (Chapter 141)

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

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

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

m. Trees (Chapter 248)

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

n. Illicit Discharges to Storm Sewers (Chapter 164)

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

o. Stormwater Management and Erosion and Sediment Control

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

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

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

1. Local Government Actions Necessary to Implement the LWRP

a. Release of the Prison Property

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

b. State Heritage Area Management Plan

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

c. Rehabilitation Loans and Grants

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

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

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

e. Public Service Crews

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

f. Easements

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

g. Urban County

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

h. Historic Designation

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

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

C. Management Structure Necessary to Implement the LWRP

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

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

1. Local Management Structure

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

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

a. Lead Official

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

b. Lead Agency

The lead agency is the Village Board of Trustees.

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

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

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

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

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

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

Building Inspector - enforces the Waterfront Consistency Law.

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

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

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

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

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

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

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

(b) Filing

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

2. Ongoing Interaction with Other Local Agencies

a. Town of Ossining

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

b. Village of Briarcliff Manor

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

c. Westchester County Agencies

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

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

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

3. Guidelines for Review of Proposed State and Federal Actions

These procedures are contained in Appendix E to the LWRP.

D. Financial Resources Necessary to Implement the LWRP

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

1. Financing Proposed Projects

a. Edward M. Wheeler Crawbuckie Nature Preserve Area

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

b. CBD Infrastructure Improvements

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

c. Old Croton Aqueduct Improvements

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

d. Louis Engel Waterfront Park

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

e. Sparta Park

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

f. State Heritage Area

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

2. Financing Other Public and Private Implementation Actions

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

3. Financing the Management of the LWRP

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

E. Summary Chart of Actions Implementing Local Policies

Development Policies

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

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

Fish and Wildlife Policies

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

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| Policy 17 | Building Code <ul style="list-style-type: none">▪ Subdivision Regulations▪ Zoning Code (Planned Waterfront Districts) |
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General Policy

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| Policy 18 | LWRP |
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Public Access Policies

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| Policy 19 | Zoning – (RDD, IR, and PRD) <ul style="list-style-type: none">▪ RiverWalk▪ Easements▪ Improvement of Trails and Signage at Edward M. Wheeler Crawbuckie Nature Preserve Area▪ Improvements to Louis Engel Waterfront Park▪ Access to Sparta Dock▪ CBD Infrastructure Improvements |
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- | | |
|-----------|--|
| Policy 20 | Zoning) (PRD, CDD, RDD, PW-a, PW-b, PW-c, IR, SP-N, and SP-S) <ul style="list-style-type: none">▪ Easements |
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Recreation Policies

- | | |
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| Policy 21 | Plan for Release of Prison Property <ul style="list-style-type: none">▪ State Heritage Area Development▪ Urban County Funding▪ Improvements to Louis Engel Waterfront Park RiverWalk▪ Improvements to Old Croton Aqueduct Trail▪ <i>Zoning Planned Waterfront including PWRD overlay</i>▪ <i>IR, RDD, and PRD</i> |
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| Policy 22 | Planning Board Review <ul style="list-style-type: none">▪ Guidelines for Release of Prison Property▪ State Heritage Area Development▪ Easements▪ <i>Zoning Planned Waterfront including PWRD overlay</i>▪ <i>Zoning IR, RDD, and PRD</i> |
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| Policy 23 | Zoning (PRD, CDD, PW-a, PW-b, PW-c, and IR) <ul style="list-style-type: none">▪ Historical and Architectural Design District |
|-----------|--|

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

Scenic Quality Policies

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

Architectural Lands Policy

Policy 26	Not applicable
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Energy and Ice Management Policies

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

Water and Air Resources Policies

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

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

Section VI State and Federal Actions and Programs Likely to Affect Implementation

State and federal actions will affect and be affected by implementation of a Local Waterfront Revitalization Program (LWRP). Under State law and the U.S. 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 consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State and federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions and programs is that list. The State Waterfront Revitalization of Coastal Areas and Inland Waterways Act requires that a LWRP identify those elements of the program which can be implemented the local government, unaided, and those that can only be implemented with the aid of other levels of government or other agencies. Such statement shall include those permit, license, certification, or approval programs; grant, loan, subsidy, or other funding assistance programs; facilities construction; and planning programs which may affect the achievement of the LWRP. Federal agency actions and programs subject to consistency requirements are identified in the New York State Coastal management Program and by the implementing regulations of the U.S. Coastal Zone Management Act.

The second part of this section is a more focused and descriptive list of State and federal agency actions which are necessary to further implementation of the LWRP. It is recognized that a State or 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 or federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State 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

1. STATE AGENCIES

OFFICE FOR THE AGING

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

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
5.00 Farmland Protection Grants from the Environmental Protection Fund

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

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

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

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-Re-packer of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate
- 3.00 Administration of Article 5, Section 233 of the Education Law regarding the removal of archaeological and paleontological objects under the waters of the State.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 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 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 6.00 Funding assistance for issuance of permits and other regulatory activities (New

- York City only).
- 7.00 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.
- 8.00 Marine Finfish and Shellfish Programs.
- 9.00 New York Harbor Drift Removal Project.
- 10.00 Permit and approval programs:
- Air Resources
- 10.01 Certificate of Approval for Air Pollution Episode Action Plan
 - 10.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
 - 10.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
 - 10.04 Permit for Burial of Radioactive Material
 - 10.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
 - 10.06 Permit for Restricted Burning
 - 10.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
- Construction Management
- 10.08 Approval of Plans and Specifications for Wastewater Treatment Facilities
- Fish and Wildlife
- 10.09 Certificate to Possess and Sell Hatchery Trout in New York State
 - 10.10 Commercial Inland Fisheries Licenses
 - 10.11 Fishing Preserve License
 - 10.12 Fur Breeder's License
 - 10.13 Game Dealer's License
 - 10.14 Licenses to Breed Domestic Game Animals
 - 10.15 License to Possess and Sell Live Game
 - 10.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
 - 10.17 Permit to Raise and Sell Trout
 - 10.18 Private Bass Hatchery Permit
 - 10.19 Shooting Preserve Licenses
 - 10.20 Taxidermy License
 - 10.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
 - 10.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
 - 10.23 Permit - Article 24, (Freshwater Wetlands)
- Hazardous Substances
- 10.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects

10.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation

10.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

10.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)

10.28 Floating Object Permit

10.29 Marine Regatta Permit

10.30 Navigation Aid Permit

Marine Resources

10.31 Digger's Permit (Shellfish)

10.32 License of Menhaden Fishing Vessel

10.33 License for Non-Resident Food Fishing Vessel

10.34 Non-Resident Lobster Permit

10.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits

10.36 Permits to Take Blue-Claw Crabs

10.37 Permit to Use Pond or Trap Net

10.38 Resident Commercial Lobster Permit

10.39 Shellfish Bed Permit

10.40 Shellfish Shipper's Permits

10.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean

10.42 Permit - Article 25, (Tidal Wetlands)

Mineral Resources

10.43 Mining Permit

10.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)

10.45 Underground Storage Permit (Gas)

10.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

10.47 Permit to Construct and/or Operate a Solid Waste Management Facility

10.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

10.49 Approval of Plans for Wastewater Disposal Systems

10.50 Certificate of Approval of Realty Subdivision Plans

10.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)

10.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan

10.53 Permit - Article 36, (Construction in Flood Hazard Areas)

10.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas

10.55 State Pollutant Discharge Elimination System (SPDES) Permit

10.56 Approval - Drainage Improvement District

10.57 Approval - Water (Diversion for) Power

- 10.58 Approval of Well System and Permit to Operate
- 10.59 Permit - Article 15, (Protection of Water) - Dam
- 10.60 Permit - Article 15, Title 15 (Water Supply)
- 10.61 River Improvement District Approvals
- 10.62 River Regulatory District Approvals
- 10.63 Well Drilling Certificate of Registration
- 10.64 401 Water Quality Certification
- 11.00 Preparation and revision of Air Pollution State Implementation Plan.
- 12.00 Preparation and revision of Continuous Executive Program Plan.
- 13.00 Preparation and revision of Statewide Environmental Plan.
- 14.00 Protection of Natural and Man-made Beauty Program.
- 15.00 Urban Fisheries Program.
- 16.00 Urban Forestry Program.
- 17.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

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

FACILITIES DEVELOPMENT CORPORATION

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

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land, 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.

GREENWAY HERITAGE CONSERVANCY FOR THE HUDSON RIVER VALLEY (regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Conservancy.
- 2.00 Financial assistance/grant programs
- 3.00 Model Greenway Program

4.00 Greenway Trail Activities

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 HOMES 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

HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL (regional agency)

- 1.00 Greenway Planning and Review
- 2.00 Greenway Compact Activities
- 3.00 Financial Assistance/Grants Program
- 4.00 Greenway Trail Activities

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Operating Certificate (Community Residence)
 - 2.02 Operating Certificate (Family Care Homes)
 - 2.03 Operating Certificate (Inpatient Facility)
 - 2.04 Operating Certificate (Outpatient Facility)

OFFICE FOR PEOPLE WITH DEVELOPMENTAL 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

METROPOLITAN TRANSPORTATION AUTHORITY (regional agency)

- 1.00 Facilities construction, rehabilitation, expansion, or demolition, or the funding of such activities.
- 2.00 Increases in special fares for transportation services to public water-related recreation resources.

DIVISION OF MILITARY AND NAVAL AFFAIRS

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

NATURAL HERITAGE TRUST

- 1.00 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.
- 11.00 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

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.
- 2.10 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 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

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

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

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 branchlines abandoned by Conrail

- 3.05 Subsidies program for passenger rail service
- 3.06 Financial assistance to local governments for transportation enhancement activities.
- 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 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

2. FEDERAL AGENCIES

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

- 1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Proposed authorizations for dredging, channel improvements, break-waters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.
- 2.00 Land acquisition for spoil disposal or other purposes.
- 3.00 Selection of open water disposal sites.

Army, Navy and Air Force

- 4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- 5.00 Plans, procedures and facilities for landing or storage use zones.
- 6.00 Establishment of impact, compatibility or restricted use zones.

DEPARTMENT OF ENERGY

- 1.00 Prohibition orders.

GENERAL SERVICES ADMINISTRATION

- 1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.
- 2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

- 1.00 Management of National Wildlife refuges and proposed acquisitions.

Mineral Management Service

- 2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

National Park Service

- 3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, Conrail

- 1.00 Expansions, curtailments, new construction, upgrading or abandonments or railroad

facilities or services, in or affecting the State's coastal area.

Federal Aviation Administration

5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

6.00 Highway construction.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.

3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).

4.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lanes and ice management practices and activities.

FEDERAL LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).

2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).

3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).

4.00 Approval of plans for improvements made at private expense under Corps supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).

5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).

6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

DEPARTMENT OF ENERGY

Economic Regulatory Commission

1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.

2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

ENVIRONMENTAL PROTECTION AGENCY

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Bureau of Ocean Energy Management Regulation and Enforcement

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

NUCLEAR REGULATORY COMMISSION

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

SURFACE TRANSPORTATION BOARD

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

DEPARTMENT OF TRANSPORTATION

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

FEDERAL ASSISTANCE*

DEPARTMENT OF AGRICULTURE

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Renting Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.422 Business and Industrial Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

- 11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development - Business Development Assistance
- 11.302 Economic Development - Support for Planning Organizations
- 11.304 Economic Development - State and Local Economic Development Planning
- 11.305 Economic Development - State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support

- 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Inter-modal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

COMMUNITY SERVICES ADMINISTRATION

- 49.002 Community Action
- 49.011 Community Economic Development
- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

ENVIRONMENTAL PROTECTION AGENCY

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.426 Water Pollution Control - State and Areawide Water Quality Management Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants
- 66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

GENERAL SERVICES ADMINISTRATION

- 39.002 Disposal of Federal Surplus Real Property

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance - Homes
- 14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance - Land Development and New Communities
- 14.126 Mortgage Insurance - Management Type Cooperative Projects
- 14.127 Mortgage Insurance - Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

- 15.400 Outdoor Recreation - Acquisition, Development and Planning
- 15.402 Outdoor Recreation - Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
- 15.411 Historic Preservation Grants-in-Aid

- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology - Assistance to State Institutes
- 15.952 Water Research and Technology - Matching Funds to State Institutes

SMALL BUSINESS ADMINISTRATION

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

DEPARTMENT OF TRANSPORTATION

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program
- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

* Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

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

1. Federal Actions and Programs

- a. Department of Defense, Army Corps of Engineers
 - (i) Permits for the erosion control necessary to prevent the loss of Ossining's precious riverfront park land.
- b. Department of Housing and Urban Development
 - (i) Community Development Block Grants - much of our project money in the past has come from this source and we anticipate that the future CDBG money through Urban County will help us achieve some of the capital improvements needed within the waterfront area.

2. State Actions and Programs

- a. Department of Correctional Services
 - (i) The release of the land currently occupied by the Sing Sing Correctional Facility so that this land can serve the economic development and recreational needs of the Village.
 - (ii) The removal of many of the prison structures in accordance with a plan to be developed during the LWRP implementation phase.
 - (iii) The preservation of the more historic structures within the prison, such as the original cell block and death house.
 - (iv) The creation of a prison museum in a portion of the old power plant in accordance with the State Heritage Area proposals.

- b. Department of Environmental Conservation
 - (i) A continuation of their water quality work leading to the reclassification of the Hudson River in the Ossining area as an "A" stream and its approval for swimming.
 - (ii) Permits for bulkheads or other erosion control measures needed along the Ossining Waterfront.
 - (iii) Support of the Scenic Roads program.

- c. Office of Parks, Recreation and Historic Preservation
 - (i) Provision of funding from the Land and Water Conservation Fund to continue the improvements to the Aqueduct Linear Park and Waterfront Parks.
 - (ii) Provision of funding under the State Heritage Area Program for continued improvements to the aqueduct and weir chamber, the rehabilitation of the historic downtown and improvements to Sparta Park, including a pedestrian crossing over the railroad tracks.
 - (iii) Provision of funding for State and local historic preservation activities in order to aid the preservation, restoration and adaptive reuse of Ossining's historic structures.
 - (iv) Lease of State-owned aqueduct land to the Village.
 - (v) Processing of National Register nominations

- d. Department of State
 - (1) Provision of funding for the implementation of the Local Waterfront Revitalization Program.

- e. Department of Transportation
 - (i) Maintenance of State-owned historic bridges, such as the Sing Sing Aqueduct Bridge in Ossining.
 - (ii) Support of the Scenic Roads Program
 - (iii) Work with the Metropolitan Transportation Authority to provide parking for commuters along the Railroad lines in ways which are not detrimental to the waterfront.

- f. Office of General Services

- (i) 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.

3. Regional Authorities

- a. Metropolitan Transportation Authority
 - (i) Accept a substantial share of the responsibility of providing parking for commuters using their facilities.
 - (ii) Give financial and other aid towards the provision of safe track crossing especially in those areas where long used crossings have been recently abolished for safety or other reasons, such as at Sparta Park.
 - (iii) Maintain historic railroad stations in good repair.
 - (vi) Abstain from placing sub-stations where they will have serious adverse effects on the waterfront

Section VII Consultation with Other Affected Federal, State, Regional and Local Agencies

A. During preparation of the LWRP, the following agencies were consulted for information necessary to complete the document:

Local Consultations

Town of Ossining and Village of Briarcliff - During preparation of the LWRP, the Town of Ossining and the Village of Briarcliff each had a representative on the Village of Ossining Waterfront Advisory Committee.

State Consultations

Department of Environmental Conservation
Department of Corrections
Office of Parks, Recreation and Historic Preservation
Department of State

Federal Consultations

Department of Commerce, Sea Grant

B. Review of Draft LWRP by State, Federal and Local Agencies

The Draft LWRP (with DEIS) was reviewed and accepted by the Village Board of Trustees and forwarded to the NYS Department of State (DOS). The DOS then initiated a 60-day review of the Draft LWRP/DEIS pursuant to the NYS Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Copies of the Draft LWRP and DEIS were distributed by DOS to all potentially affected State and Federal agencies, Westchester County, adjacent waterfront municipalities and other interested organizations. Comments were reviewed by the Village and DOS and changes made to the LWRP. These are detailed in the Final Environmental Impact Statement on the LWRP.

Section VIII Local Commitment

Local commitment to the LWRP has been obtained by inviting all interested groups and individuals to join the Advisory Committee and by presenting the ideas of the Committee and early drafts of the program to the Village and Town Boards at regular intervals.

A. The Advisory Committee

1. Methods used to attract members:
Residents were invited to join the Advisory Committee through an article in the Citizen Register, Ossining's local newspaper and by letters to individuals and groups including the following:
 - a. Members of the Urban Cultural Park Advisory Committee
 - b. Members of the Town Environmental Advisory Council
 - c. Members of the Town Waterfront Committee
 - d. Owners of businesses along the Ossining Waterfront
 - e. Scouts
 - f. Jaycees
 - g. Rotary Club
 - h. Chamber of Commerce
 - i. Sparta Association
 - j. Kemey's Cove Association

2. Committee Members
Following is a list of the people who joined the Advisory Committee along with their affiliation:
 - a. Clement Alexandre, Sparta Association
 - b. Louis Bataille, Town Councilman
 - c. Neil Bevilacqua, Metallized Carbon
 - d. George Camp, President, Chamber of Commerce
 - e. Thelma Carter, Scarborough Manor Association
 - f. Rocco Circosta, Briarcliff Manor Assistant Village Manager
 - g. Dr. Allen Cosin, Town Waterfront Committee
 - h. David Danzeisen, President, Vanguard Tours, Inc.
 - i. Randall Dick, Urban Cultural Park Committee
 - j. Herbert Finelstein, Town Environmental Advisory Council
 - k. Walter Hanlon, Park User
 - l. Sandy Jacobowitz, Urban Cultural Park Committee
 - m. Roger Kiley, President, Flavor Sciences
 - n. John Lee, Sparta Association
 - o. Jansen Lyon, Boat and Canoe Club
 - p. Natalie Mackintosh, Assistant to the Ossining Village Manager

- q. Shirley Manning, Kemey's Cove Association
- r. Mary Maue, President, Maue Oil Company
- s. William McEwen, Waterfront Developer
- t. Virginia Monahan, Interested Resident
- u. Patricia Morgan, Executive Director, Chamber of Commerce
- v. Gus Paese, Chairman, Town Env. Advisory Council
- w. Mary Sawyer, Zoning Board
- x. Jean Shipman, Interested Resident
- y. Harry Slominski, Ossining Historical Society
- z. Robert Snyder, Superintendent, Town Parks and Recreation
- aa. Jodine Wang, Village Trustee
- bb. Mary Sellazzo Whalen, Sellazzo's Restaurant
- cc. Frederick Wiedle, Main Street Property Owner

3. Committee Meetings

The Advisory Committee concentrated on that portion of the waterfront area which is closest to the river and on the more controversial issues. Meetings of the Advisory Committee were held on the following dates:

- | | |
|-----------------------|-----------------------|
| a. September 15, 1983 | g. March 15, 1984 |
| b. October 13, 1983 | h. March 22, 1984 |
| c. November 17, 1983 | i. September 6, 1984 |
| d. December 14, 1983 | j. September 11, 1984 |
| e. February 2, 1984 | k. November 5, 1984 |
| f. March 1, 1984 | l. April 27, 1987 |
| | m. May 11, 1987 |

In addition, Committee members were given tours of the waterfront on September 24 and October 13, 1983.

B. Meetings with Other Groups

1. The Project Coordinator, Natalie Mackintosh, has met with various groups to acquaint them with the LWRP and/or to bring them up to date regarding its progress. The following is a listing of those meetings:

- a. Ossining Village Board:
 - 1) August 30, 1983
 - 2) December 13, 1983
 - 3) January 31, 1984
 - 4) March 27, 1984
 - 5) May 22, 1984
 - 6) June 12, 1984
 - 7) April 15, 1987
 - 8) April 28, 1987
 - 9) May 6, 1987
- b. Village of Ossining Planning Board - January 31, 1984
- c. Town Supervisor and Waterfront Owners - May 16, 1984
- d. Briarcliff Manor Board of Trustees - January 5, 1984
- e. County Planning Department, Joe Potenza - December 20, 1983

- f. Sea Grant
 - 1) Steve Lopez - November 2, 1983
 - 2) Steve Lopez and Robert Synder (Town Rec.) - February 6, 1984
 - 3) Sea Grant Meeting - March 21, 1984
2. Diane Hamilton Bell and Charles McCaffrey of the Department of State met with the Village Board on June 12, 1984 to discuss the LWRP. Advisory Committee members were invited to attend this meeting.
3. The Town Board of Ossining has discussed the waterfront and the LWRP at a number of their meetings. The meeting dates were as follows:
 - a. July 26, 1983
 - b. August 9, 1983
 - c. September 6, 1983
 - d. November 10, 1983
 - e. January 10, 1984

In addition, the Town Board appointed one of their members to act as a liaison with the Advisory Committee.

4. At part of the Ossining Village Fair on June 9th, Gerard Dorian, a member of the Advisory Committee, led morning and afternoon tours of the waterfront.
5. On many occasions, the Village Board and Town Board meetings were written up in the newspaper and coverage given to the waterfront discussions.
6. A draft of the LWRP was sent to the Planning Board on September 5, 1985 to be included in their proposed zoning study.

C. Land Use-Zoning Study

In 1985, the Ossining LWRP was put on hold pending a proposed Village-wide land use and zoning study. In February, 1986, Manuel S. Emanuel Associates, Inc. was hired to do this study which concentrated on that portion of the Village west of Route 9. The draft LWRP was discussed with Mr. Emanuel at two meetings he had with Village staff on 3/5/86 and 6/19/86. As the land use-zoning study progressed, it was discussed in great depth at the following open meetings:

Planning Board Meetings:

6/26/86

7/14/86

5/12/87 (Public meeting on Proposed Land Use Plan)

Village Board Work Session:

9/24/86

11/12/86

12/23/86

Joint Planning Board/Village Board Meetings:

6/10/86

9/10/86

2/5/87

3/3/87

3/10/87

The main topics of discussion at the above meetings were the proposed land use for the larger vacant parcels along the waterfront, primarily located in the northern part of the Village, and a Waterfront Development Zone.

Preliminary decisions and the land use-zoning plan have been incorporated in this draft LWRP.

The new zoning law was adopted by the Village in December, 1990 and went into effect in February, 1991. Prior to its adoption it was revised by the Department of State for conformity with the LWRP.

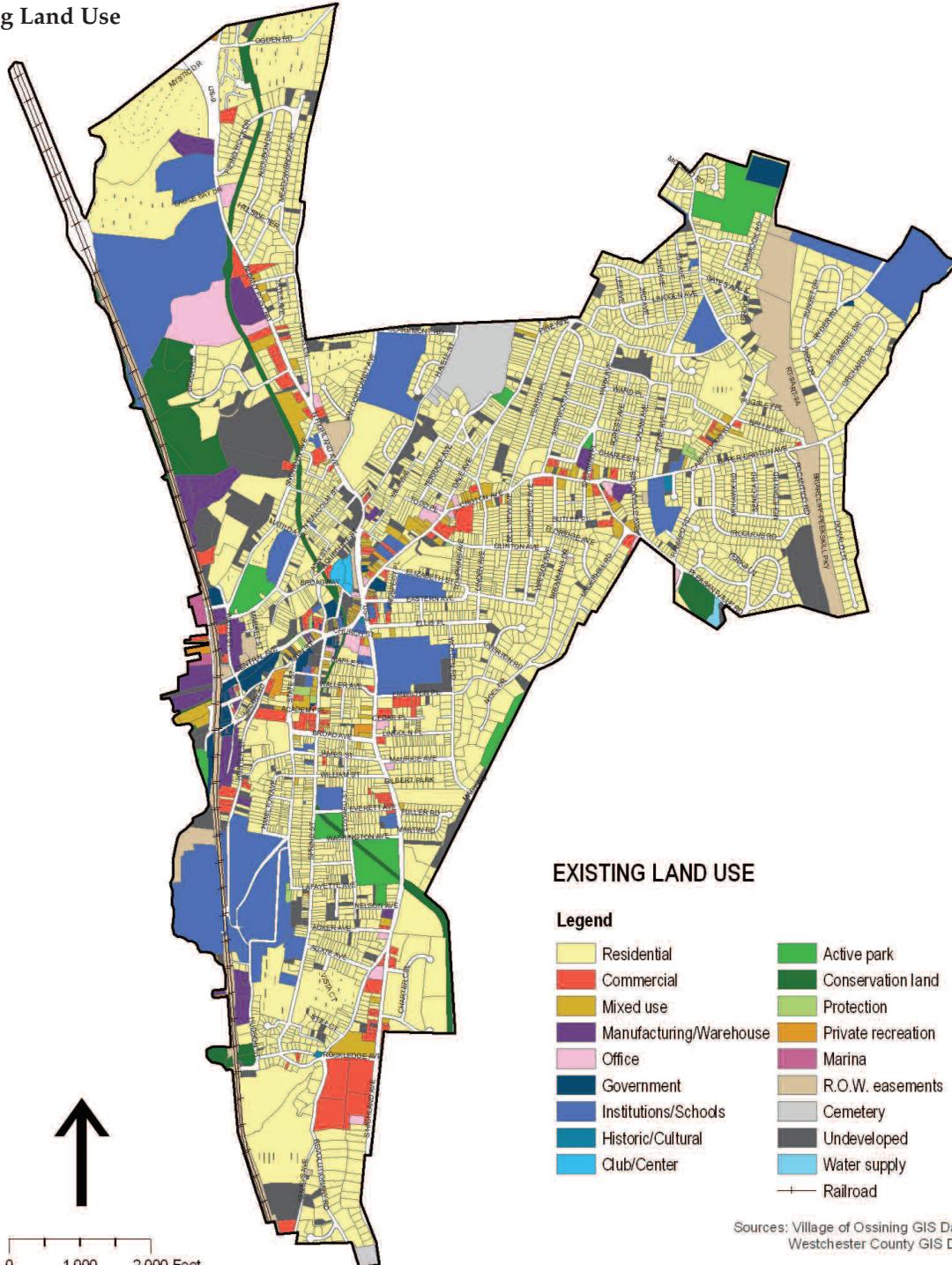
D. Comprehensive Plan

In 2005 the Village of Ossining commenced the creation of a Comprehensive Plan and related Village Code changes. The Comprehensive Plan was adopted on September 1, 2009 and the related Village Code changes were adopted on October 6, 2009. All documents were found to be in conformity with the LWRP

Waterfront Revitalization Area Boundary



Existing Land Use



EXISTING LAND USE

Legend

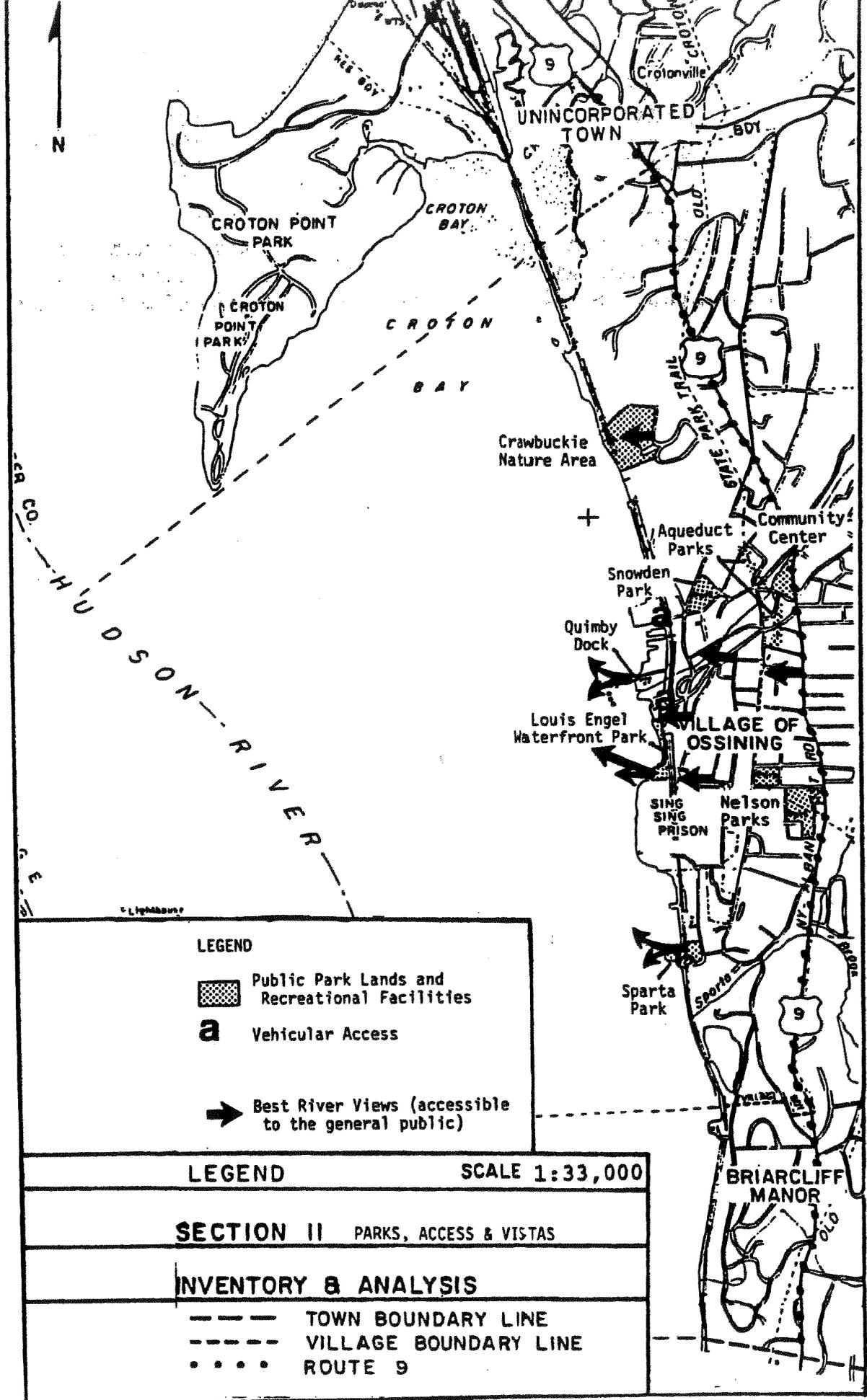
- | | |
|---|--|
|  Residential |  Active park |
|  Commercial |  Conservation land |
|  Mixed use |  Protection |
|  Manufacturing/Warehouse |  Private recreation |
|  Office |  Marina |
|  Government |  R.O.W. easements |
|  Institutions/Schools |  Cemetery |
|  Historic/Cultural |  Undeveloped |
|  Club/Center |  Water supply |
| |  Railroad |

0 1,000 2,000 Feet



Sources: Village of Ossining GIS Data
Westchester County GIS Data

Phillips Preiss Shapiro Associates, Inc.



LEGEND

 Public Park Lands and Recreational Facilities

a Vehicular Access

 Best River Views (accessible to the general public)

LEGEND

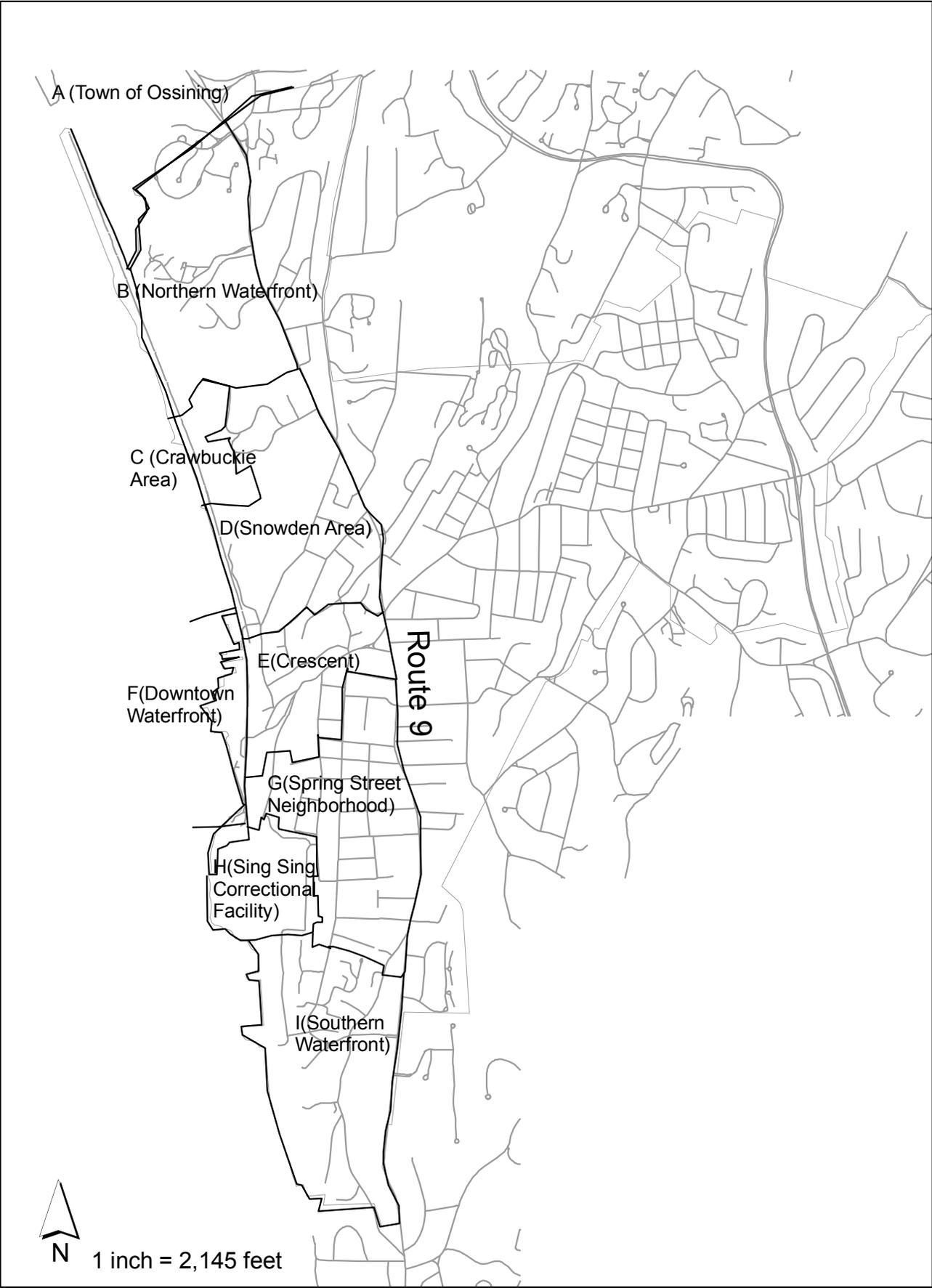
SCALE 1:33,000

SECTION II PARKS, ACCESS & VISTAS

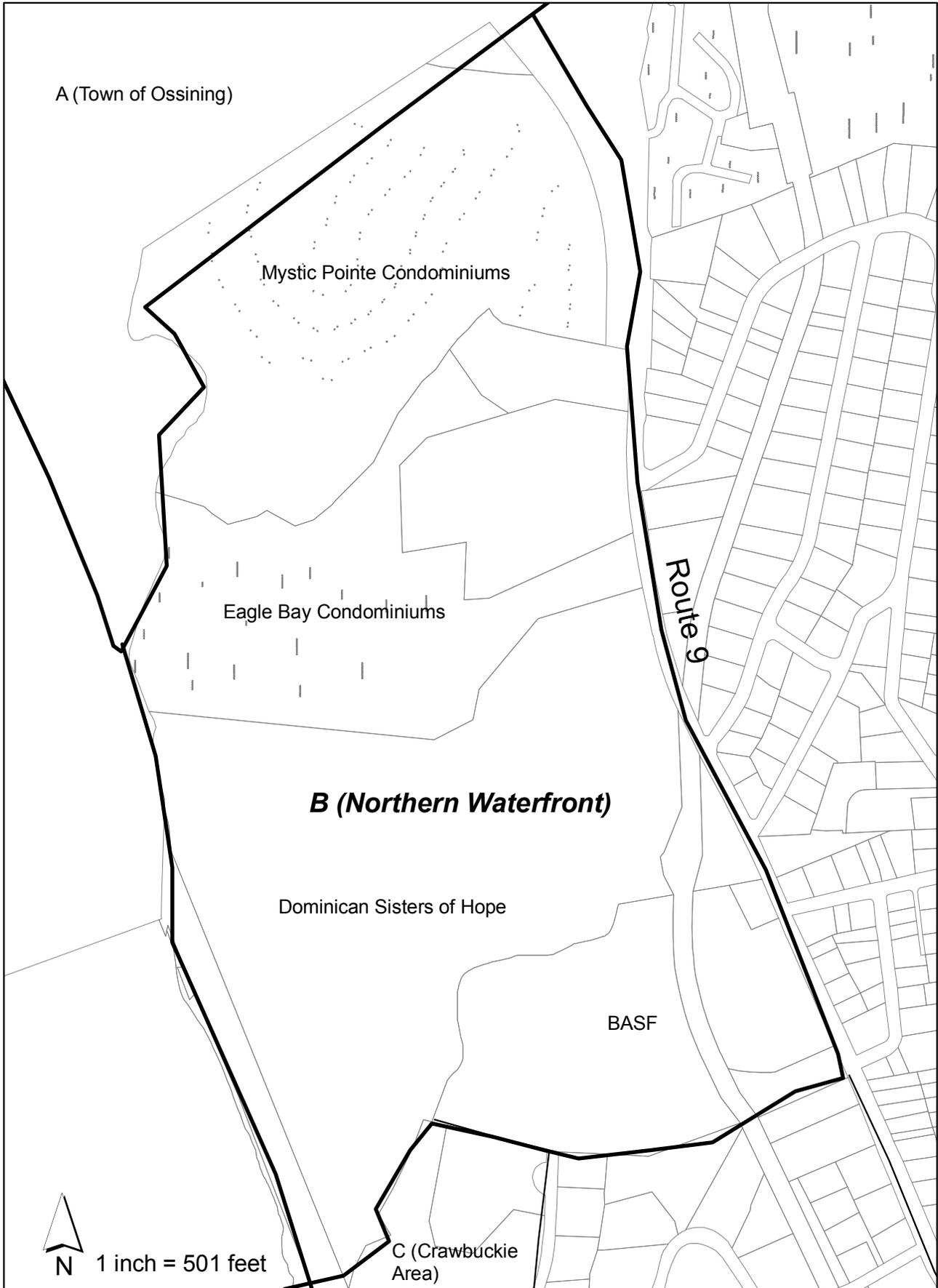
INVENTORY & ANALYSIS

-  TOWN BOUNDARY LINE
-  VILLAGE BOUNDARY LINE
-  ROUTE 9

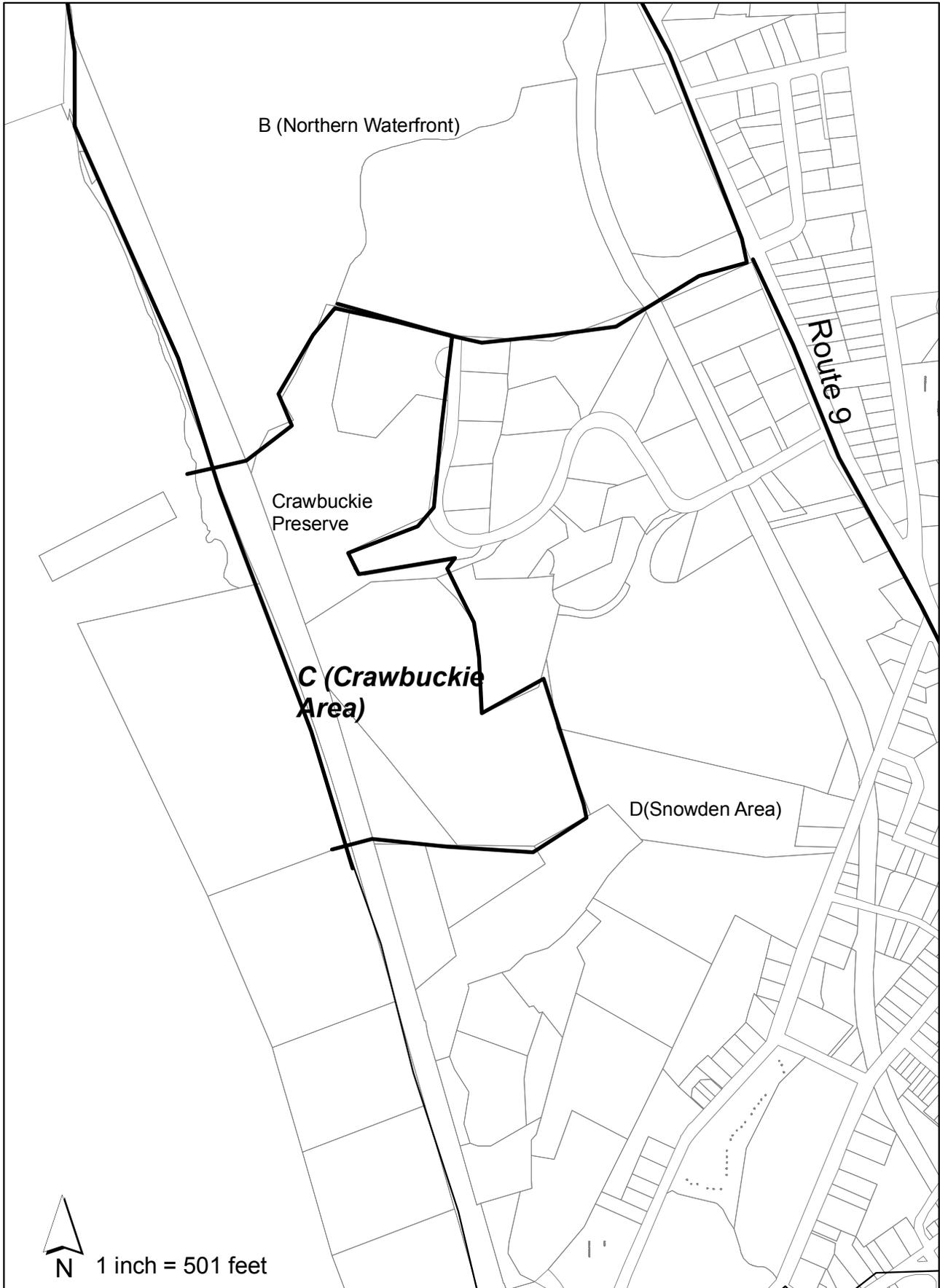
Waterfront Areas



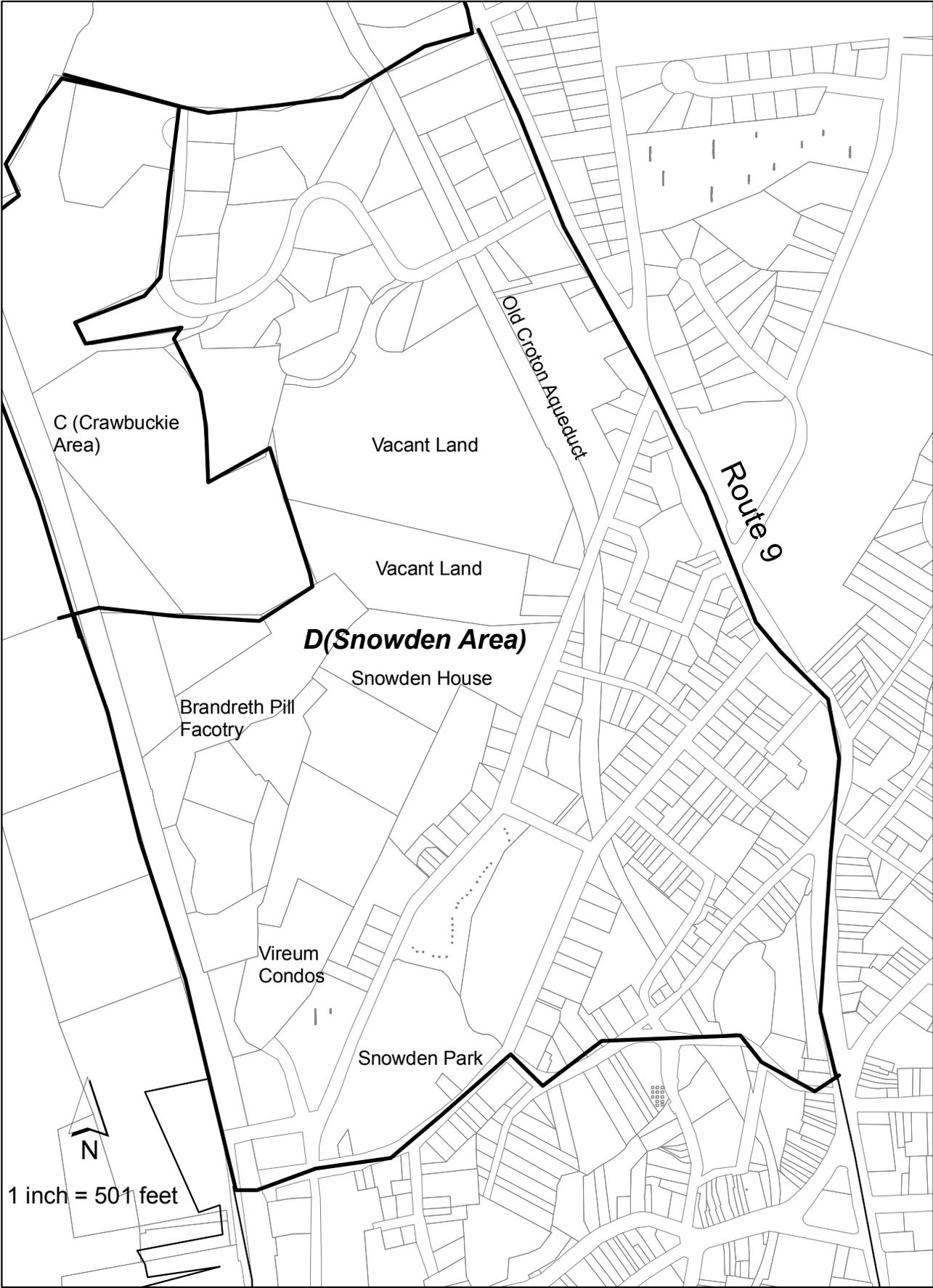
Northern Waterfront Area



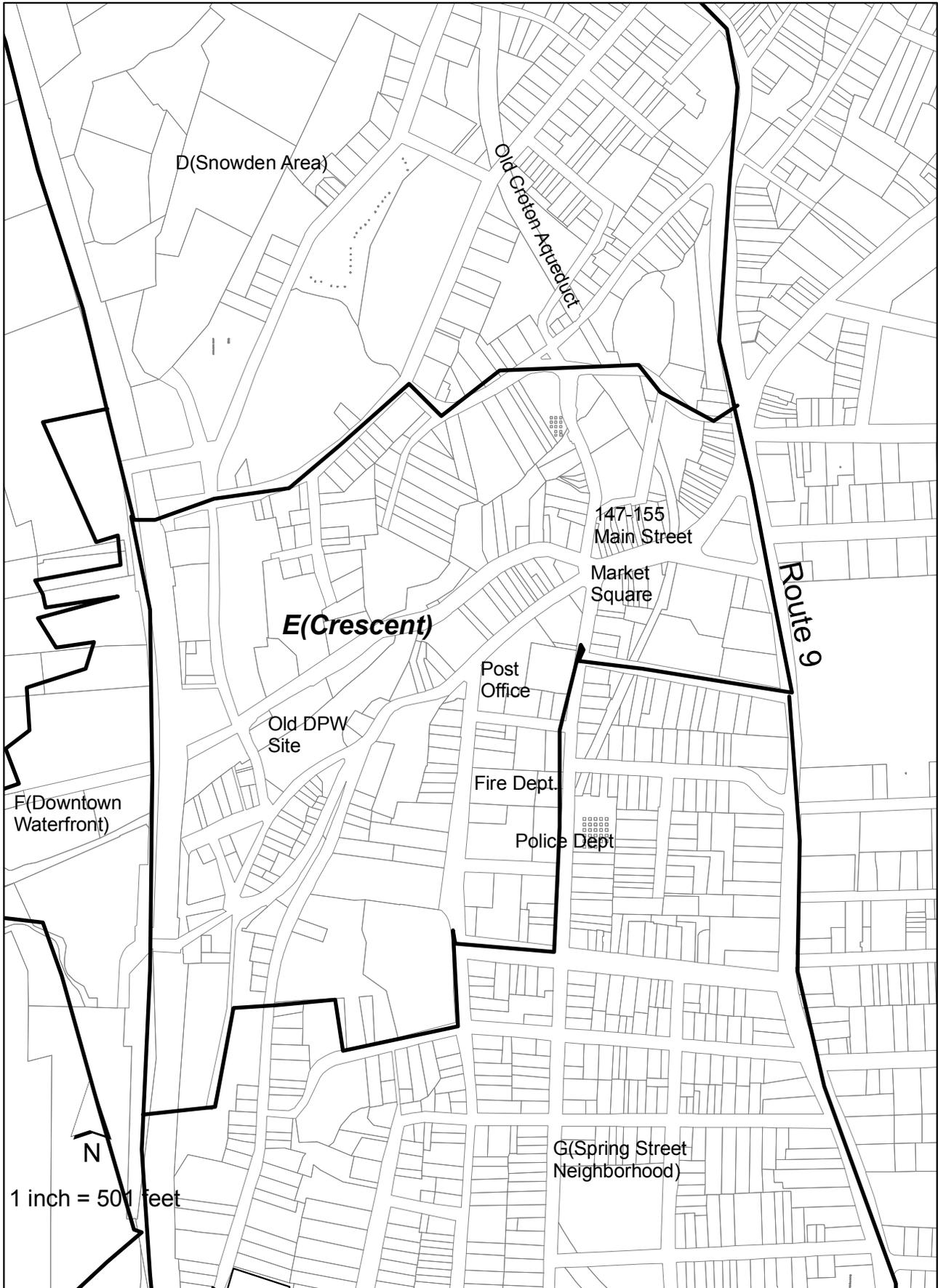
Crawbuckie Nature Area

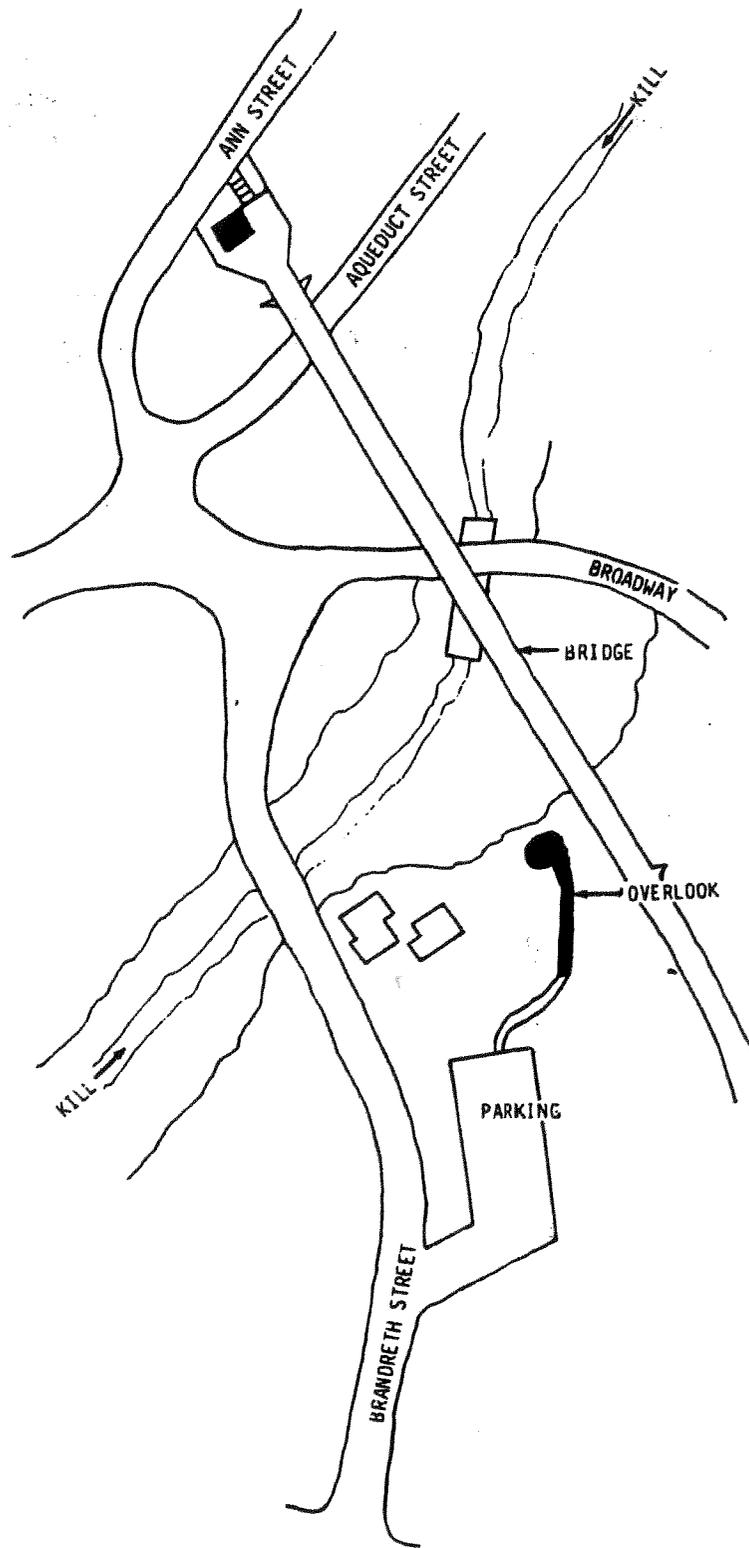


Snowden Area



The Crescent Area

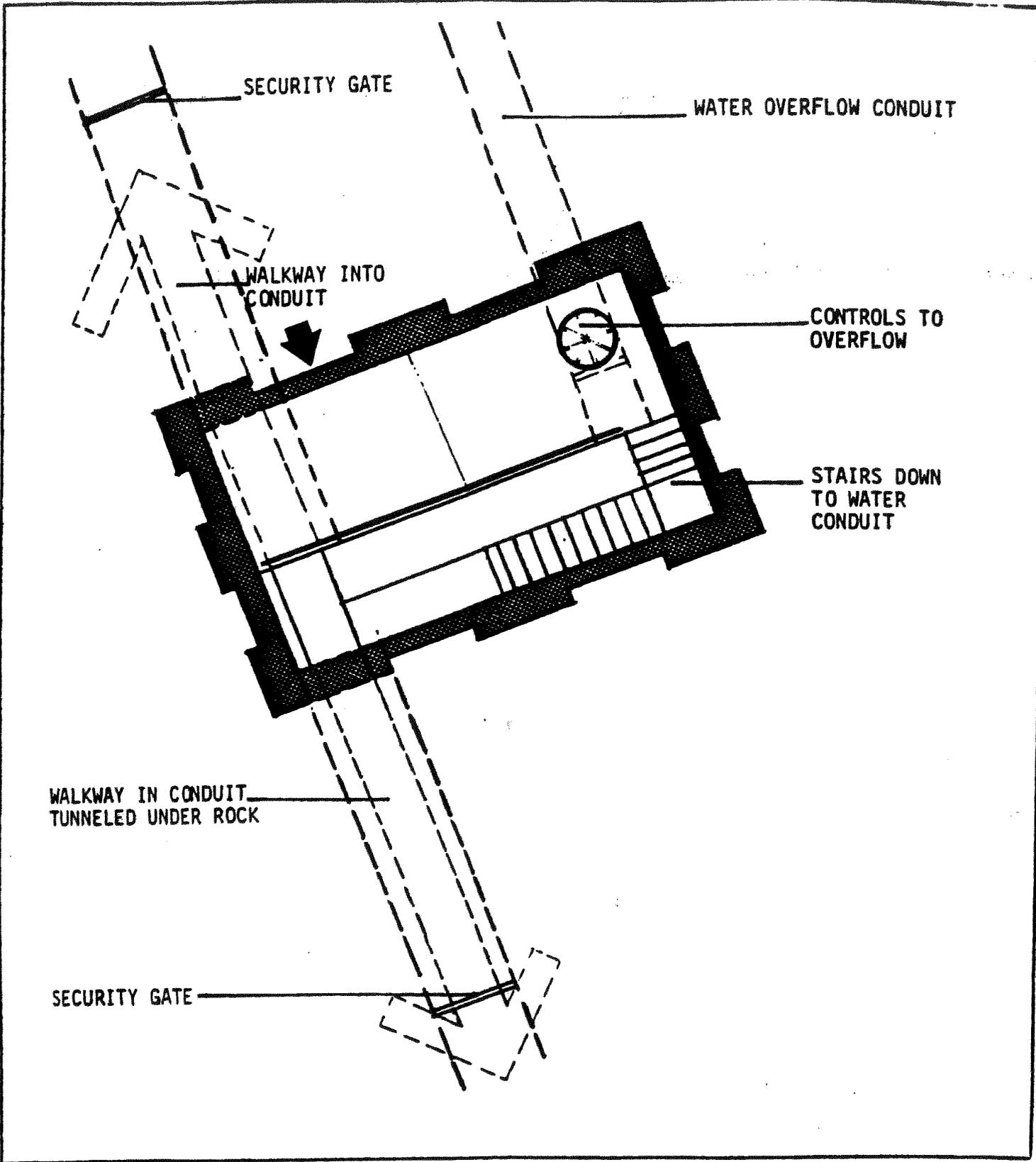




Ossining Urban Cultural Park
Village of Ossining, N.Y.

The Overlook Park

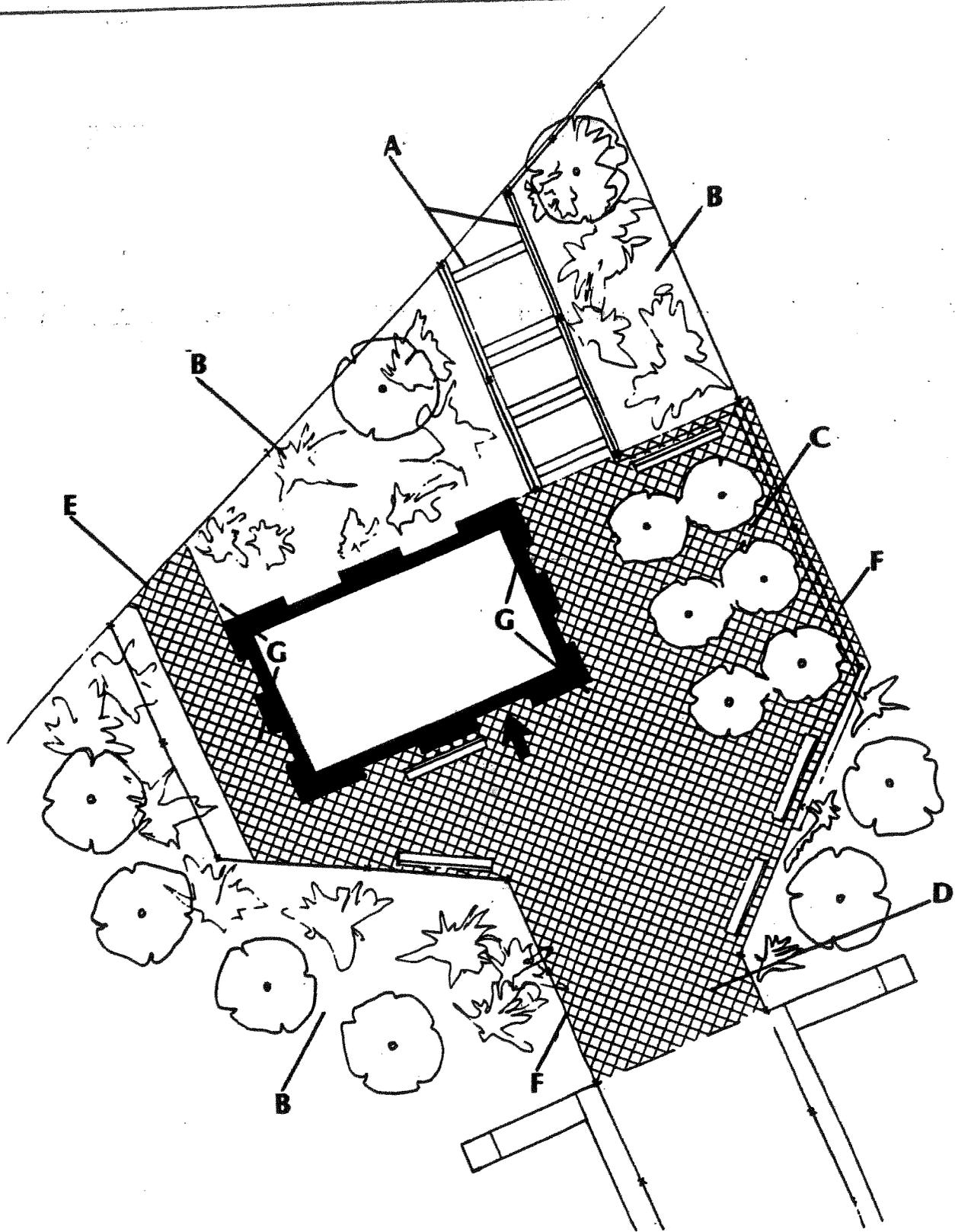
F.W. McGowan & Associates
Landscape Architects



Ossining Urban Cultural Park
 Village of Ossining, N.Y.

Weir Chamber-Plan

Kissiloff Associates, Inc.
 Interpretation & Design



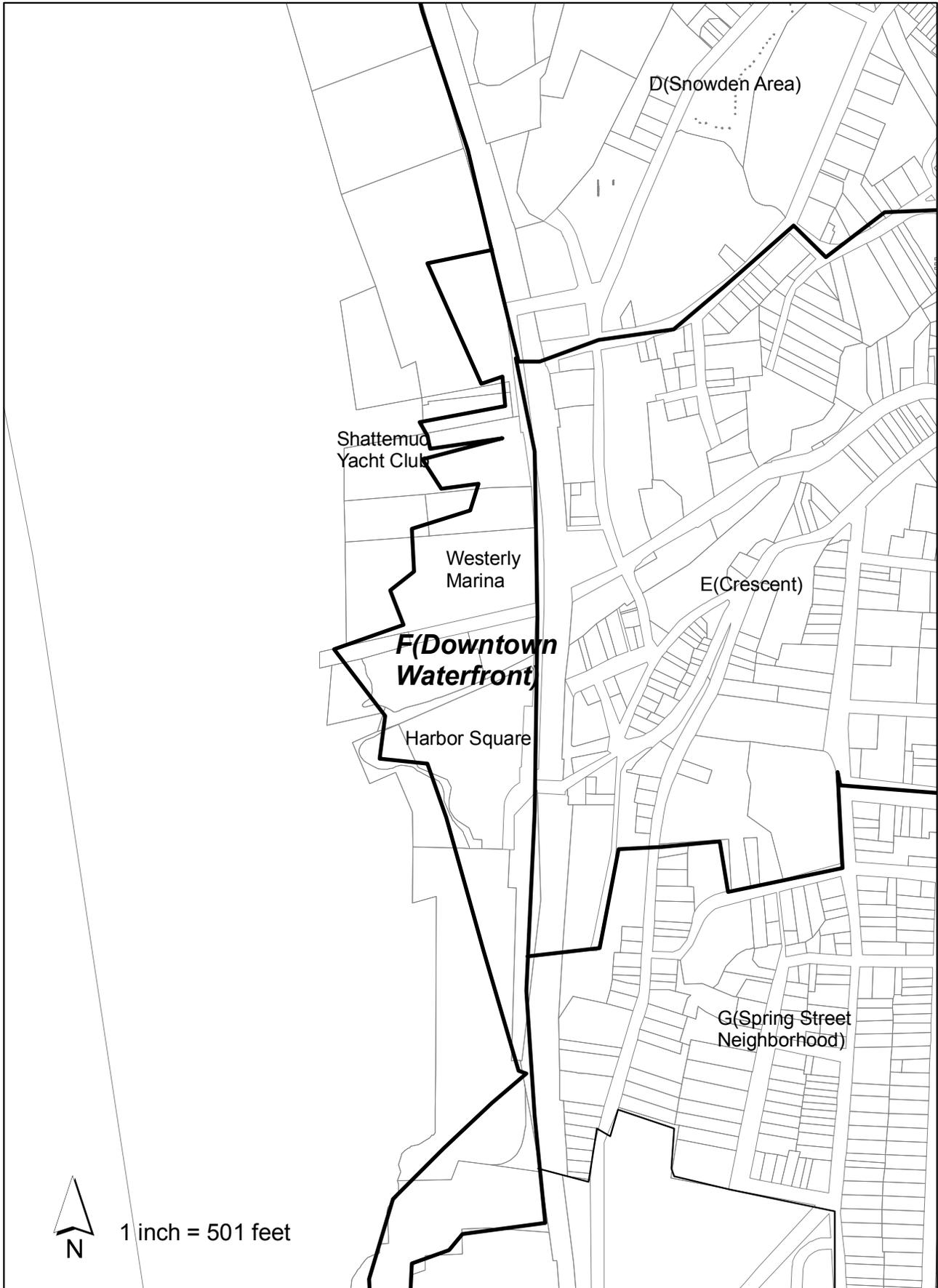
Ossining Urban Cultural Park
Village of Ossining, N.Y.

F.W. McGowan & Associates
Landscape Architects

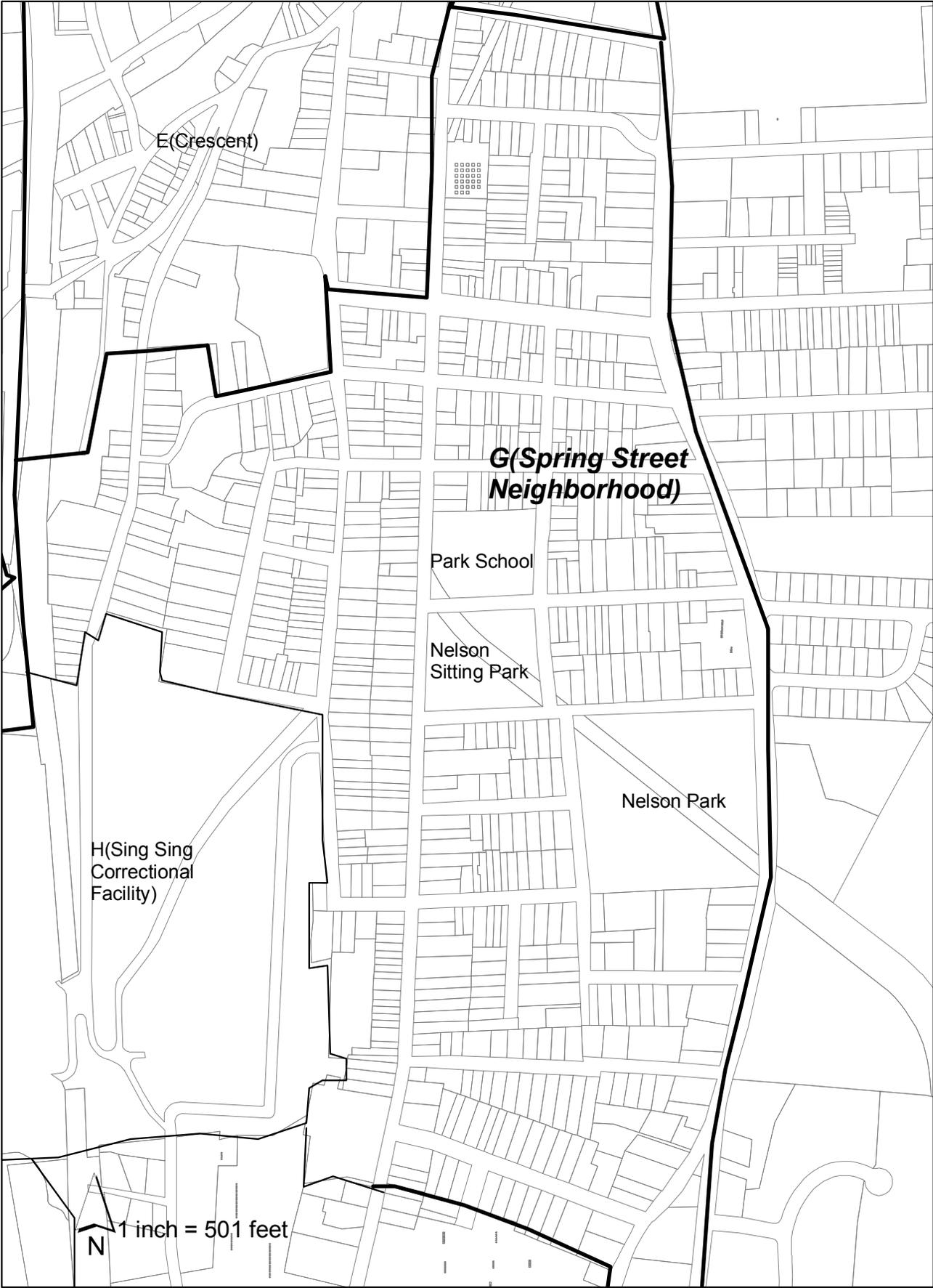
Weir Chamber-Site

- A. Repair steps, railing
- B. New planting
- C. New landscaped sitting area
- D. Repair sidewalk
- E. New access ramp
- F. New fence, railing
- G. Lighting

Downtown Waterfront



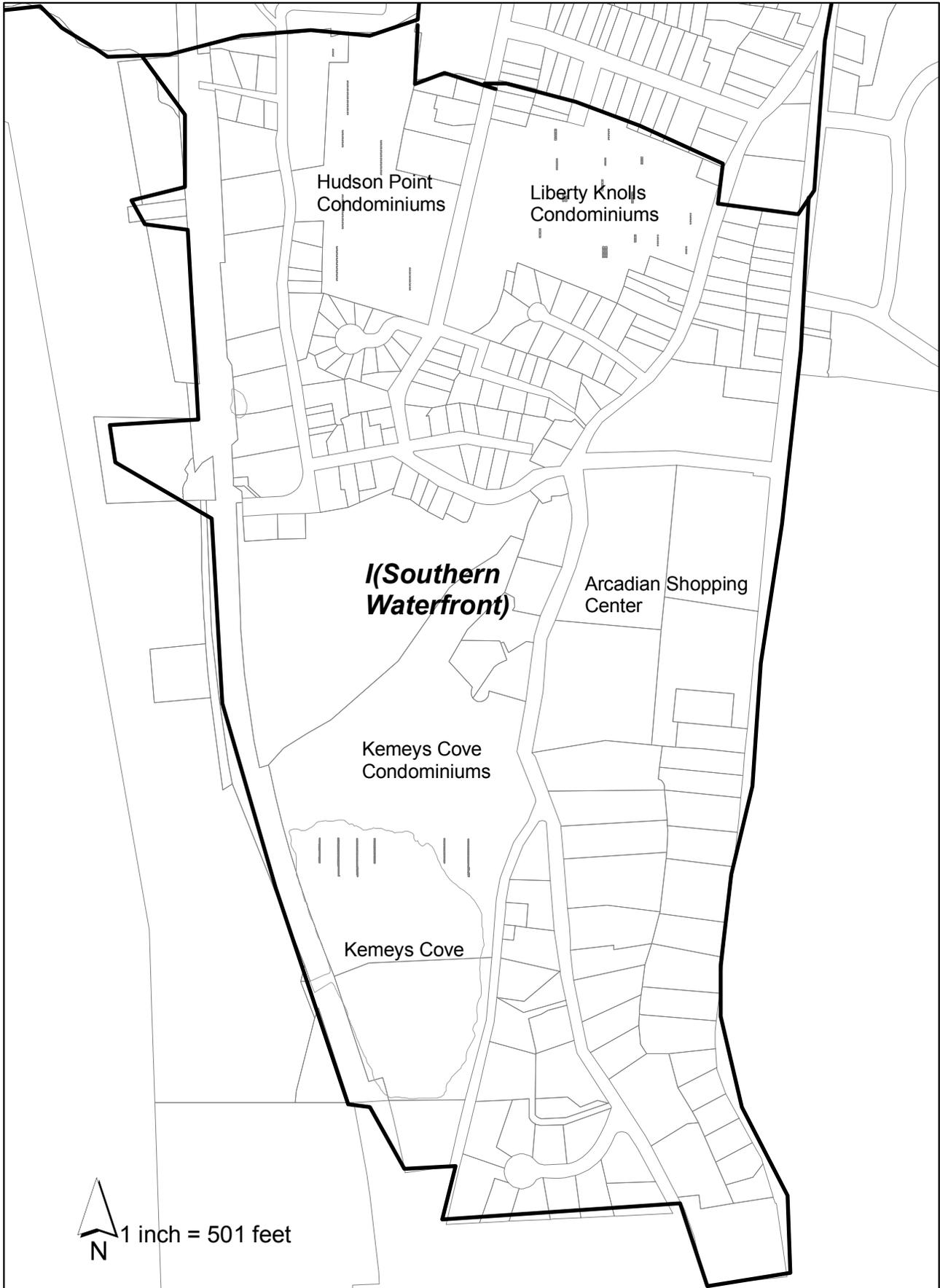
The Spring Street Neighborhood



Sing Sing Correctional Facility



Southern Waterfront



Proposed Land and Water Uses

