

Waterfront Rezoning Committee

Village of Hastings on Hudson

Q: What is the purpose of the Waterfront Rezoning Committee “WRC”?

A: The purpose of the WRC is to advise the Village Board of Trustees on a zoning and land use policy proposal for the waterfront. The committee will build on the work of prior research and committees, namely the Comprehensive Plan, Waterfront Infrastructure Report, and the Shoreline Conceptual Design and the Consent Decree. With the assistance of a team of experts, the WRC will create a zoning recommendation that lays out the uses and building massing that may be permitted. Currently, the Hastings waterfront is zoned for "general Industrial" use.

Q: What is zoning?

A: Zoning is a planning control tool for regulating the built environment and creating functional real estate markets. It does so by dividing land that comprises the statutory area of a local authority into sections, permitting particular land uses on specific sites to shape the layout of towns and cities and enable various types of development.

Q: Who owns the land at the waterfront?

A: There are three separate parcels of land that make up the waterfront site. BP owns the largest parcel. The other two parcels are owned by Exxon and Ulrich. According to the terms of the Consent Decree, the Village will become a fourth owner with a parcel to be created from the shoreline perimeter along the BP site equal to 80-100 feet from the mean low water line.

Q: Will the WRC’s plan become law?

A: Zoning authority resides with the Board of Trustees. They will ultimately decide whether to adopt the WRC's proposal, in whole or in part, in establishing zoning policy for the waterfront.

Q: Who is on the WRC and how were those people chosen?

A: The WRC is a 9-member committee of Hastings residents appointed by the Board of Trustees. In constituting the committee, the Board looked for a mix of professional expertise and experience in prior Village planning processes (e.g. Comprehensive Planning, Waterfront Infrastructure, Shoreline Design). Committee members are volunteers and are donating their time, energy and expertise to develop a robust and thoughtful zoning plan.

Q: What is the timeline for the WRC's work and the development of the waterfront?

A: The WRC expects its work to take 24 months; however, the WRC is committed to work at whatever pace required to deliver the best recommendation it can to the Trustees. In terms of the actual site development, it is too early to say exactly how long it will take, but we expect remediation of the site to take 5-13 years followed several years of phased development.

Q: Will the WRC use consultants or other professional help and how will these people be paid?

A: The WRC anticipates hiring an urban planner, an environmental consultant and a financial feasibility consultant. The Village has negotiated a stipend from one of the landowners to cover the bulk of these professional fees. In addition, the WRC will hire a part-time administrative assistant to facilitate the committee's work and engagement with the public.

Q: What involvement will the WRC have with the landowners and potential developers of the sites?

A: The existing landowners as well as any developers they have contracted with are key stakeholders in the rezoning process. The WRC has no obligation to entertain all or any of the owner or developer's suggestions or requests. However, a dialogue between the WRC and the landowners will increase the likelihood that a plan that is feasible and acceptable to both parties is adopted.

Q: What is the anticipated process and timeline for the committee's recommendation?

A: The WRC will first work with an urban planner to develop a land use and massing framework to provide guidance for the landowners and prospective developers. The developers will then generate design proposals to present to the committee for consideration. The WRC will then use the feedback from the community, consultants and the developers to provide a zoning recommendation that can be as simple as new zoning districts or as detailed as the exact size and location of every building. We anticipate the timeline to take up to 2 years.

Q: Why does anything need to be done and could the Village just leave the existing zoning in place?

A: The current landowners will ultimately need to remediate any contamination on their respective sites, but are only able to use the properties for manufacturing per the current zoning. There is currently not a large demand for manufacturing sites so it is unlikely that the current landowners will do anything with the sites under the existing zoning. A rezoning offers the village an opportunity to have some of the land become a space that is usable and beneficial to the community and in exchange the developer can build higher value properties that will generate greater tax revenue.

Q: What is the timeline of the remediation and what guarantee do we have that polluted sites will be remediated properly?

A: The Ulrich and Exxon/Mobil sites currently have continued groundwater remediation and monitoring. Once started, remediation at the BP/Arco property is anticipated to take 5-13 years to complete. All three properties are required to meet the Soil Cleanup Objectives (SCO's) of the New York Department of Environmental Conservation (NYDEC) state standards for "Restricted Residential" use per 6 NYCRR Part 375. There will be some contamination left in place at levels deemed acceptable by the Environmental Protection Agency (EPA) and NYDEC, however long-term exposure to the contamination will be mitigated through the use of engineering controls and land use restrictions. Restricted

Residential designations prohibit single family homes and vegetable gardens, however active recreational, residential with protections, commercial and industrial uses are allowed. After the properties are deemed "clean" by the State, environmental easements will be placed over the properties which mandate the "Restricted Residential" land use and Site Management Plans will be provided which prevent exposure to any contamination remaining at a site.

Q: Will the new plan include public parkland?

A: It is clear from community feedback and the conclusions of prior committees that public waterfront parkland should be included in the waterfront area, and will be as per the terms of the Consent Decree. The upfront capital improvements as well as the ongoing maintenance of the parkland will be included in the WRC's feasibility analysis, and the Shoreline Conceptual Design reflects much of the community's needs and desires

Q: Could the village acquire the sites through eminent domain and turn them into parks?

A: Even if the village could convince the courts to force the sale of the property to the village, the village would have to purchase the properties at an agreed upon market value, see through the environmental remediation and come up with the funds for both the capital improvements and ongoing maintenance of the parks. The WRC believes that a negotiated development plan with the landowners and developers is the most feasible and fiscally responsible approach to change the appearance and access of the waterfront.

Q: How will the Community's views be incorporated into the WRC's process?

A: The WRC will keep the community apprised of its work through a variety of means (e.g. Village website, email communication, public meetings). It will also host a series of information and input sessions with the public over the course of the planning process.