

11.6 Develop new facilities for recreational vessel access to the Hudson River.

- In order to increase public enjoyment of the river, the following actions should be pursued:
 - Establish a small boat access facility (i.e., for canoes, kayaks, etc.) in Kinnally Cove, consistent with the environmental sensitivity of the tidal flats present in that area and other constraints. The Village acquired the property in 2002 and McLaren Engineering Group submitted plans and permit application to NYSDEC in January, 2006.
 - Include appropriate public access facilities for recreational vessels as part of the redevelopment plan for the Village's former industrial waterfront area.
 - Investigate the feasibility of restoring the marina at Hudson Valley Health and Tennis Club. In 2005, the Tennis Club hired a local architect to begin the feasibility analysis of restoring the marina and establishing other facilities including those which may complement the Kinnally Cove improvements.

11.7 Improve the system of trails in the Village of Hastings-on-Hudson.

- In order to enhance public enjoyment of the system of pedestrian trails in the Village, including the Old Croton Aqueduct State Historic Park and the South County Trailway (on the Saw Mill River), the following improvements should be pursued:
 - interconnections among the trailways and linkages to other points of interest and to the waterfront, including possible land acquisitions to span existing gaps in the trail network;
 - interconnections to adjacent communities, as part of a continuous pedestrian trail spanning the full length of the Hudson River shoreline;
 - certain physical improvements and maintenance, such as the clearing of debris and vegetative overgrowth from trails; and
 - improved signage.
- The feasibility of reconstructing the overpass at Mount Hope Boulevard, which spanned over the Saw Mill River Parkway and the railroad tracks, should be examined.
- The Ravensdale Bridge should be made more readily accessible to bicycles, with a bicycle path running from the bridge to the South County Trailway in a manner that effectively separates bicycles from vehicular traffic on Route 9A.

Policy 12 Enhance visual quality and protect outstanding scenic resources.

12.1 Protect and improve visual quality throughout the Village.

- Protect scenic values that are based on the quality of natural resources within the Village. The following standards advance the protection of natural scenic values:
 1. maintain or restore original landforms, except where altered landforms provide useful screening or contribute to scenic quality; and
 2. avoid structures or activities that introduce visual interruptions to natural landscapes including:

- intrusive artificial light sources
- fragmentation of and structural intrusion into open space areas
- changes to the continuity and configuration of natural shorelines and associated vegetation
- Preserve those vacant parcels that are identified as contributing significantly to the visual quality of the Village. This includes portions of Hillside Park, Hillside Woods, Farragut Parkway open space area, Sugar Pond, Ravensdale Park, Ravensdale Woods, Pulvers Woods, Riverview Park, Lefurgy Park, South County Trailway, Old Croton Aqueduct State Historic Park, the Graham Windham School property, the Burke Estate, and the Saw Mill River Parkway right-of-way.
- Promote the use of vegetative buffers around developed areas to preserve the visual character of adjacent natural areas and to minimize the impact of development on the overall visual appeal of the Village.
- Enhance the existing scenic characteristics of the Village by minimizing the introduction of discordant features.
- Restore deteriorated visual elements and remove degraded elements.
- Preserve and augment existing vegetation to enhance scenic quality.
- Group or cluster development to maximize the extent of contiguous open space.
- Recognize water-dependent uses as important additions to the visual interest of the Village. Provide adequate maintenance to the structures and facilities of water-dependent uses, so as to minimize visual impacts.
- Promote the designation of scenic corridors on roadways that provide vistas to the water.
- Promote the use of native plant species in landscape designs during the site plan review process, so as to provide visual continuity and consistency with the natural setting of the area.
- Encourage the creation of design standards and performance standards for new development on the waterfront (i.e., buildings, structures, roads) that coincide with the objectives of maintaining or enhancing the visual quality of the Village.
- Promote the preservation and enhancement of aesthetic quality as a performance standard, based on criteria that address the importance of the community character and coastal environment, and that address visual access and aesthetics from both land-side and water-side perspectives.

12.2 Protect the aesthetic values associated with recognized areas of high scenic quality.

- Protect the contributing scenic values associated with any area that has been officially designated as a scenic area either through local or statewide action.
- Prevent the impairment of scenic components that contribute to high scenic quality in such areas.

12.3 Avoid activities that would unduly obstruct or intrude into views of the Hudson River and the Palisades from key public viewing locations.

- Actions that would unduly obstruct or intrude into views of the Hudson River or the Palisades shall be avoided, from the vantage of key public viewing locations, including, but not necessarily limited to, the following sites:
 - Fulton Park - Municipal Building - library complex
 - Warburton Avenue Bridge, looking westward along the ravine
 - intersection of Warburton Avenue and Washington Avenue
 - Dock Street Bridge
 - Main Street, approaching Warburton Avenue from the east
 - Maple Avenue at Spring Street, and Southside Avenue south of Spring Street and in the vicinity of the train station
 - the section of Warburton Avenue to the south of the Washington Avenue intersection, approximately at Division Street
 - intersection of Broadway at Main Street and Farragut Avenue
 - Old Croton Aqueduct State Historic Park
- The standards contained in Policy 11.4 should be followed in order to ensure that important views from the above-listed locations are preserved or, if an action cannot avoid obstructing or intruding into views of the Hudson River and the Palisades, that appropriate measures are implemented to moderate the visual impact and preserve the views to the maximum extent practicable. The land use plan identified under Policy 1.4 is consistent with those requirements.

12.4 Establish design standards to minimize the impact to important visual resources resulting from the redevelopment of the Village's industrial waterfront area.

- The availability and quality of views from lower elevations, particularly within the waterfront redevelopment area itself and along approach routes, should be maximized by means of suitable design features, including the following:
 - provision of a sufficient number of properly spaced east-west-trending roadways, to serve as east-to-west view corridors
 - moderation of the mass of individual buildings, so that there are breaks between the buildings which will create additional view corridors; and height limitations where new buildings could block important views
 - provision of direct public access along the entire shoreline area on the site, so that unobstructed views of the Hudson River and Palisades are available across the entire site frontage
 - distribution of open space areas across the site to optimize viewing opportunities
 - installation of additional footbridges at suitable locations, to connect the waterfront to the uplands on the east side of the railroad tracks and to provide additional viewing opportunities for pedestrians
 - reconstruction of the Dock Street Bridge in a manner that optimizes the view of the river and Palisades as westbound travelers cross the railroad tracks and approach the waterfront

- reconstruction of the Zinsser Bridge, at the south end of the site, to provide access to the general public, with features designed to optimize views of the river and Palisades
- location of utilities underground in areas of waterfront development, in order to avoid visual impacts related to overhead utility lines

Policy 13 Preserve important historic resources.

13.1 Maximize preservation and retention of significant historic resources.

- Preserve the historic character of the resources by protecting the historic materials and features, or by making repairs using appropriate measures.
- Minimize the loss of historic resources or historic character when it is not possible to completely preserve the resource.
- Relocate an historic resource only when it cannot be preserved in place and:
 1. the resource is imperiled by a proposed activity that has no viable alternative or by surrounding conditions that are likely to result in degradation or inadequate maintenance of the resource;
 2. the resource cannot be adapted for use on the existing site in a manner that would result in preservation of the resource;
 3. a suitable site for relocation is available; and
 4. it is technically and economically feasible to move the resource.
- Consistent with the proposed land use plan identified under Policy 1.4 and the DEC-required cleanup of the waterfront, allow for the demolition of an historic resource only when:
 1. the resource cannot be adapted for use on the existing site in a manner that would result in preservation of the resource;
 2. it is not feasible to protect the resource through relocation; and
 3. the resource has been officially certified as being imminently dangerous to life or public health.
- Document in detail the character-defining elements of an historic resource in its original context prior to relocating or demolishing the resource.
- Avoid potential adverse impacts of development proximate to historic resources by:
 1. designing the development to a size, scale, proportion, mass, and with a spatial relationship that is compatible with the historic resource; and
 2. designing and constructing the development using materials, features, forms, details, textures, and colors that are compatible with similar aspects of the historic resource.
- Provide for the efficient, compatible use of historic resources by means of the following measures:
 1. Foster uses that maximize retention of the historic character of the resource:
 1. to the extent practicable, use the resource as it was historically used, so as best to achieve retention of historic character; or
 2. if the resource cannot be used as it was historically used, adapt a use to the historic resource that maximizes retention of character-defining materials and features.

2. Minimize alterations to the resource, in order to preserve and retain its historic character, by the following measures:
 1. Minimize potential negative impacts to the resource's historic character due to necessary updates in systems to meet health and safety code requirements or to conserve energy.
 2. Make alterations to the resource only as needed to ensure its continued use and provided that adverse impacts to the resource is minimized. In order to minimize adverse impacts to the resource, alterations should not obscure, destroy, or radically change character-defining spaces, materials, features, or finishes. Alterations may include selective removal of features that are not historic elements of the resource and its setting, and whose removal would not detract from the overall historic character of the resource.
 3. Allow construction of a new addition only after it is determined that such action is the only viable means of assuring continued use of the resource.
 4. In constructing a new addition, use appropriate design and construction to minimize adverse impacts to the resource's historic character. Adverse impacts can be minimized in a new addition and the integrity of the resource can be preserved by:
 - clearly differentiating the new addition from the historic portion of the structure;
 - using compatible design in the new addition, relative to the historic materials, forms and details, size, scale and proportion, and massing of the resource; and
 - constructing new additions in a manner that, if removed in the future, the essential form and integrity of the historic resource and its setting would not be impaired.
- Limit adverse cumulative impacts to historic resources by:
 1. minimizing potential adverse impacts to an historic resource that is a member of a group of related resources, which that may be adversely impacted by the loss or diminution of any one or more members of the group;
 2. minimizing potential cumulative impacts of a series of otherwise minor interventions on an historic resource; and
 3. minimizing potential cumulative impacts caused by development adjacent to an historic resource.
- Investigate the eligibility of additional resources for inclusion on the State and National Registers of Historic Places and encourage owners to seek official designation for any resources that are shown by the results of said investigation to be eligible for State and/or federal listing.

13.2 Protect and preserve significant archeological resources.

- Conduct a cultural resource investigation when an action is proposed on a known or suspected archaeological site, fossil bed, or in an area identified for potential archaeological sensitivity on the archaeological resources inventory maps prepared by the New York State Department of Education.
 1. Conduct an initial site survey to determine whether cultural resources are potentially present in the area to be disturbed by a proposed project.
 2. If the initial survey reveals that cultural resources are potentially present, conduct a detailed evaluation of the site to provide adequate data to allow a determination of the resource's archaeological significance.
- If a proposed project potentially will result in impacts to a significant archaeological resource, minimize those impacts by the following measures, listed in order of descending preference:
 1. redesigning the project;
 2. reducing direct impacts on the resource;
 3. recovering data and documenting the site prior to construction.
- Appropriation of any object of archeological or paleontological interest situated on or under lands owned by New York State is prohibited, except as provided for in Education Law, §233.

13.3 Increase public awareness of the historical resources of the Village of Hastings-on-Hudson.

- Promote public awareness of the Village's historic resources by means of:
 - appropriately placed signs that convey information regarding local historical resources;
 - information kiosks in the Hastings-on-Hudson business district to provide information regarding the historic heritage of the Village;
 - a map or self-guided tour brochure illustrating the Village's and its waterfront's historic resources and their inter-connections to augment the "Museum in the Streets" installed in downtown Hastings in Fall 2005.
- Promote the designation of historic corridors that link historic sites to each other, to the Hastings-on-Hudson business district, and to other points of interest on the waterfront.
- Encourage public access to the historic resources in a manner that does not adversely impact the historic resources.

13.4 In redeveloping the waterfront area, include suitable measures to highlight the vital role that this area played in the Village's historic development.

- Preserve the industrial heritage of the Village of Hastings-on-Hudson for the appreciation and enjoyment of future generations by means of one or more of the following approaches:
 - Restore and preserve one or more existing structures in their entirety. The water tower should be considered for incorporation into the redevelopment plan. The re-use of portions of Buildings #51 and #52 also should be investigated. The following factors should be applied in assessing whether any given structure is suitable for reuse as part of the site redevelopment plan:
 1. cost to rehabilitate the structure and achieve conformance with existing codes and design standards;
 2. overall structural integrity of the structure;
 3. scale of the structure, and compatibility with the "village character" standard for new development in this area (see Policy 1.4);
 4. presence of environmental hazards; and
 5. ability of the structure to be adapted to the proposed use identified for that specific location.
 - Preserve portions of existing structures. If the retention of entire structures is not feasible, it may be possible to incorporate portions of selected structures (e.g., walls, foundations, etc.) into the site reuse plan. The same factors as are enumerated above with respect to the preservation of whole structures should also be applied in evaluating whether any existing structural component is suitable for reuse as part of the site redevelopment plan. Consider re-using bricks from demolished buildings in new structures or in public art.
 - Evoke the Village's industrial heritage in the design of new buildings erected on the site. If the retention existing buildings or portions thereof is not feasible, or possibly in conjunction with the preservation of existing structures, the objectives of this policy would be advanced by the design of new buildings with architectural design features that are reminiscent of the industrial past of the Village's waterfront area.

13.5 Strengthen local requirements for the protection of important historic resources.

- In order to enhance the protection of important historic resources, the Village should consider enacting a local law that includes:
 - regulations governing development that may affect designated historic and cultural resources;
 - procedures for the local designation of historic buildings and landmarks; and
 - creates a Landmark Preservation Commission (or other suitable entity) whose purpose would be to: recommend structures and sites that merit preservation due to historic or archaeological resource value, and to review applications for actions that may impact designated landmarks.

SECTION IV PROPOSED LAND AND WATER USES & PROPOSED PROJECTS



SECTION IV PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

4.1 PROPOSED LAND USES

The existing land development pattern in the Village of Hastings-on-Hudson consists of a mix of uses. Most of the development in the Village consists of medium and low-density residential development, typically in the four to six-unit-per-acre range, with an average of about 12 units per acre in the Village core. There also are large areas of public and private open space, and a number of large institutional tracts at scattered locations throughout the Village. Assorted commercial uses are present, particularly in the central business district to the east of the railroad tracks. In general, it is proposed that these uses be retained.

The waterfront portion of the Village, to the west of the railroad tracks, is dominated by approximately 50 acres of fill land. This includes a number of active recreational and commercial uses on approximately seven acres, which are proposed for continuation.

The remaining 43 acres of the Village's waterfront contains a number of vacant or underutilized former industrial properties: approximately 28 acres currently are owned by ARCO Environmental Remediation L.L.C.; a pigment manufacturer (Uhlich Color Company) occupies approximately six acres; and approximately eight acres owned by Mobil-Exxon. These properties are proposed for redevelopment with a mix of uses in accordance with the standards set forth under Policy 1.4. The exact form that this development will take is not certain at the present time, and will be subject to further review pursuant to SEQRA once an actual development proposal is received by the Village to the extent that the impacts of the development are not presented in the GEIS for the LWRP and rezoning of the waterfront. However, as established under Policy 1.4.1, the land use mix ultimately should include extensive areas of public open space woven throughout the entire development, a variety of residential housing types, commercial uses, civic and cultural uses, and possibly an institutional use. Policy 1.4.1 calls for the discontinuation of industrial uses on this property.

Map 17, Proposed Land and Water Uses, depicts the proposed land uses in the Village's Local Waterfront Revitalization Area (LWRA) as identified in the Waterfront Redevelopment Plan prepared for the Village of Hastings-on-Hudson by Regional Plan Association in 2001 (which is posted on the Village website www.hastingsgov.org and is Appendix A to this LWRP Plan).

4.2 PROPOSED WATER USES

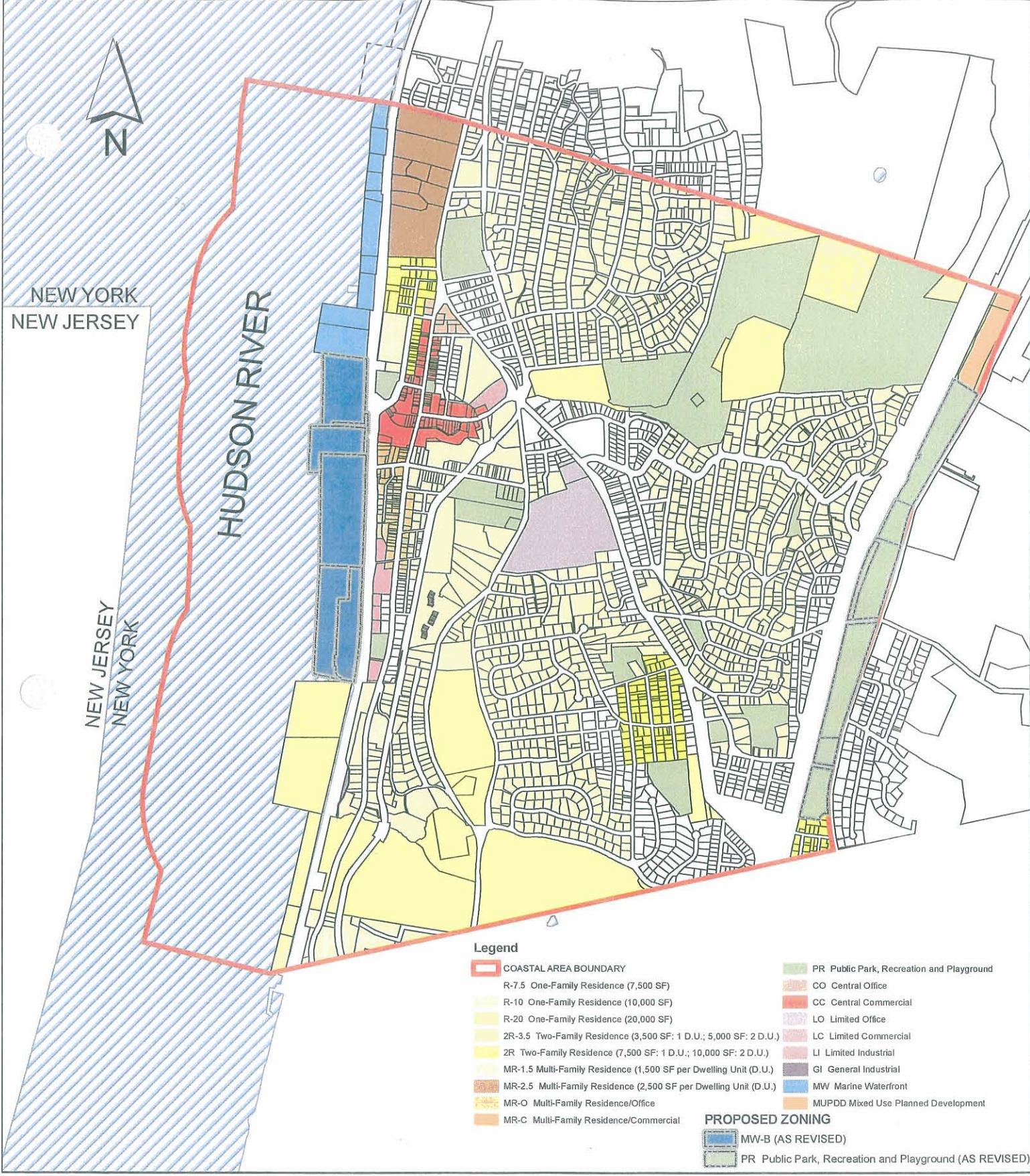
The coastal waters adjacent to the Village of Hastings-on-Hudson presently are used primarily for recreational boating, based at three local boating clubs (Tower Ridge Yacht Club, Pioneer Boat Club, and Palisade Boat Club at the Hastings/Yonkers border). It is proposed that these water-dependent uses, and the in-water activities they support, be retained and, to the extent practicable, augmented to support increasing demand by local recreational boaters. It further is recommended that the protected area in the Hudson River to the south of Pioneer Boat Club be officially designated as a "Special Anchorage Area", so that it is identified on the navigational charts.

Redevelopment of the Village's 43-acre former industrial waterfront area should include additional water-related uses to enhance recreational enjoyment of the Hudson River. Some of the water recreation uses that have been considered throughout the planning process are listed below:

- expanded recreational vessel access to the river, in the form of marina and/or docking facilities to serve one or more mooring areas; the south end of the site has been identified as an area which may be well-suited to a special anchorage (i.e., mooring) area, which could be accessed via new public docking facilities
- ferry terminal, water taxi, and/or dockage for small touring boats (i.e., for cruising and/or sightseeing), using the area at the northern end of the site, and other facilities to encourage waterborne transportation
- swimming area, when water quality permits
- youth-oriented boating programs
- mooring opportunities for historic boats
- opportunities for the launching of small boats (i.e., canoes, kayaks, etc.)
- rehabilitation of cluster piers in the deep-water area of the waterfront for use as a fishing pier and dockage for large boats
- dockage for commercial uses, such as a restaurant and/or hotel
- dockage for educational and scientific uses (i.e., possible institutional facility)

The Village is in the process of implementing park improvements for passive recreation at Kinnally Cove including an area for launching of small, non-motorized boats such as canoes and kayaks. In January, 2006 a permit application was submitted to NYS Department of Environmental Conservation (NYSDEC) for the improvements.

The Harbor Management Plan, prepared by Cashin and Associates for the Village, comprises the remainder of Section 4.2.



MAP 19 VILLAGE OF HASTINGS-ON-HUDSON LOCAL WATERFRONT REVITALIZATION PLAN PROPOSED ZONING MAP

4.2.1. HARBOR MANAGEMENT PLAN INTRODUCTION

A. PURPOSE AND AUTHORITY

The State of New York enabled local governments with the authority to manage activities in harbors and areas in the vicinity of their shores by enacting Chapter 791 of the Laws of 1992. This legislation amended Article 42 of the Executive Law, Waterfront Revitalization and Coastal Resources Act, to provide waterfront municipalities with the authority to develop harbor management plans and laws to implement the plans. As described by the NYS Department of State, the purpose of a Harbor Management Plan is to address the problems of conflict, congestion and competition for space in the use of harbors, surface waters and underwater lands of the state within a municipality or bounding a municipality to a distance of fifteen hundred feet from its shore.

Without a harbor management plan municipalities have no authority to regulate structures and uses of surface waters and underwater land beyond the use of vessels within its jurisdiction. Preparation and adoption of such a plan empowers a local government to address issues in full partnership with the state's Coastal Management Program through the following benefits and services:

- Determining the status of harbor areas and developing strategies to achieve goals.
- Technical assistance in addressing harbor management issues.
- Financial assistance for small-scale construction and acquisition projects.
- Research, design and other preconstruction activities that implement the harbor management plan.
- Addressing harbor and near-shore issues that reach beyond local boundaries.

An effective Harbor Management Plan will cover all surface waters within or adjacent to a municipality and alleviate conflicts between commercial shipping and recreational boating, commercial and recreational fishing. The Harbor Management Plan should also consider regional needs and competing needs of concerns such as waste management, mineral extraction, dredging, public access, recreation, habitat protection, water quality, open space aesthetic values, common law riparian or littoral rights, and public interest in underwater lands.

B. HARBOR MANAGEMENT AREA

The harbor management area includes all surface waters and underwater lands lying within the municipality, both on shore as well as 1,500 feet out from the shoreline into the Hudson River. As mentioned previously, Map 17 displays the Village of Hastings-on-Hudson Harbor Management Area extending 1,500 feet into the Hudson River along the nearly 2 mile stretch between the north and south boundary of the Village. Existing land uses along or within close proximity of the shore include a mix of multiple residential, commercial, park or open space, three vacant industrial sites, three private boat clubs, and Metro North Railroad as shown on Map 18 Harbor Management Plan.

C. MARITIME ECONOMY / COMMERCIAL USERS

The Village of Hastings-on-Hudson does not historically or currently have a strong maritime economy. Section 2.2 of the LWRP provides a brief history of the Hastings waterfront, detailing the various industrial powers that have dominated the waterfront and Village life, dating back several hundred years.

In the past, the River was primarily used for industrial transport and operations by the three large plants which had formerly occupied much of the waterfront. These parcels are the focal point of the Village's waterfront redevelopment efforts. Legacy contamination issues on the parcels are being addressed by the New York State Department of Environmental Conservation and the property owners to make the properties suitable for residential, recreational and other compatible uses consistent with the LWRP. The predominant future uses at the site will consist mainly of residential and recreational amenities, including homes and open space.

The maritime uses of the Hudson River contemplated by the LWRP include recreational fishing and boating, marinas, a pier for launching non-motorized watercraft, and a possible future ferry service (if proposed by a public or private sponsor and approved by the Village).

4.2.2. HARBOR MANAGEMENT ISSUES

A primary objective of the draft Local Waterfront Revitalization Plan (LWRP) is to foster the boating activities at the three clubs (or any successors) and the use of non-motorized watercraft on the river. Several issues were identified by the LWRP Committee as critical to addressing this and other objectives of the harbor management plan element of the LWRP. These issues are discussed below.

A. HARBOR NAVIGATION AND SAFETY

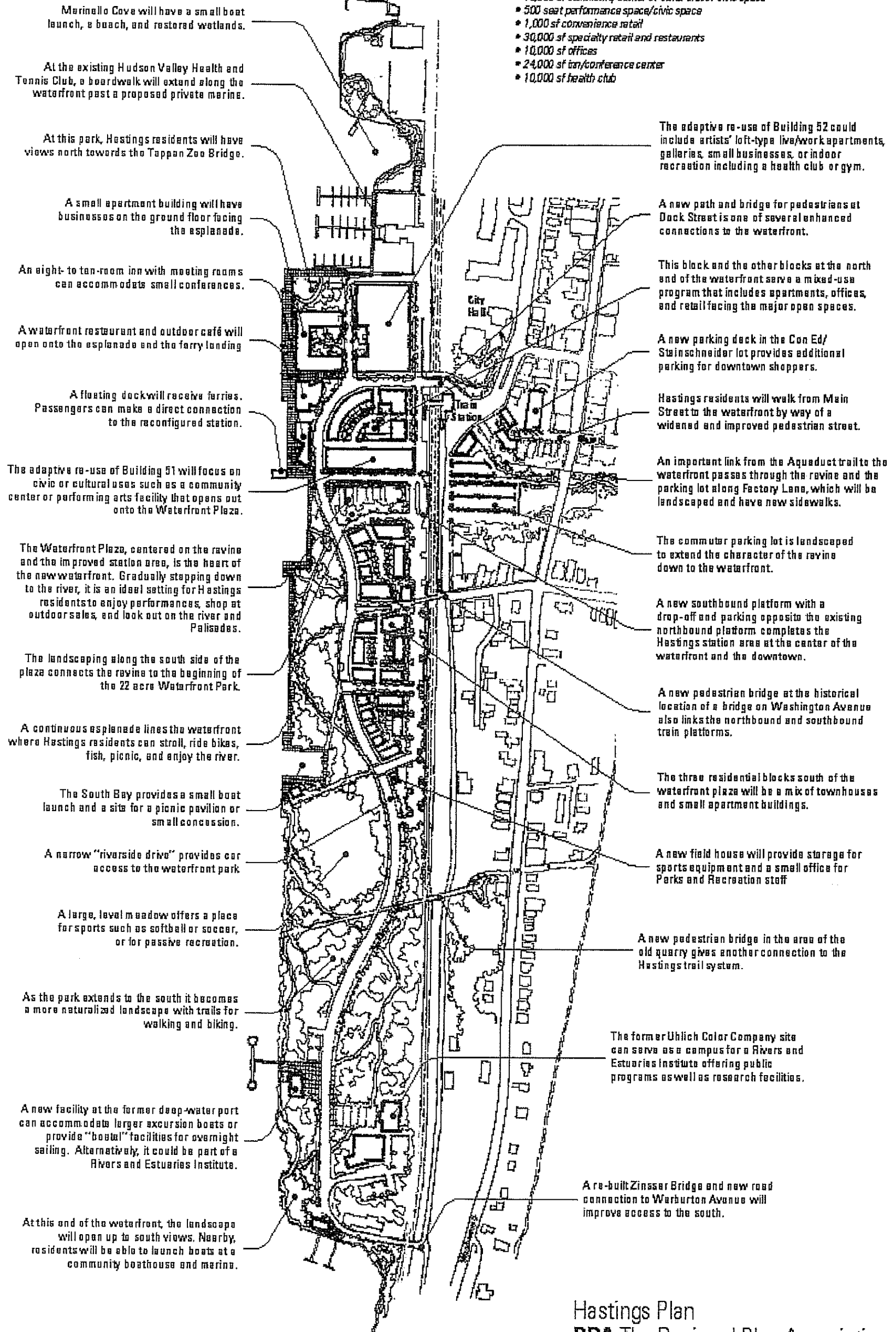
The Navigational Channel, as shown in Map 18, exists in the River adjacent to the Village. The channel is approximately ½ nautical mile in width, running north to south down the length of the Hudson River.

The River is patrolled regularly by the Westchester County Public Safety Department, through the use of a patrol boat. The Department has been made aware of the Village's waterfront redevelopment plans and has given assurance that they will be able to meet any safety needs that this presents, and has also stated that they will regulate local waters according to the newly formed planning documents and revised regulations. The U.S. Coast Guard also has boats in the area that assist in patrol and rescue operations. The Village has no current plans to establish its own waterfront patrol system.

A main concern related to the revitalized waterfront is safety with regard to personal watercraft (PWC), commonly called jet-skis. In Westchester County, as of January 1, 2004 it is required that anyone operating a PWC must complete a boating safety course. In general, the laws that apply to boats also apply to PWCs, with a few additional restrictions on PWC Operations.

Private and public development program
February 6, 2001

- 22 acres of park throughout including areas for active and passive recreation
- 250 units of housing
- 10,000 sf community center or other indoor civic space
- 500 seat performance space/civic space
- 1,000 sf convenience retail
- 30,000 sf specialty retail and restaurants
- 10,000 sf offices
- 24,000 sf inn/conference center
- 10,000 sf health club



Hastings Plan
RPA The Regional Plan Association

All operators of personal watercraft will be required to earn a safety certificate before they may operate. In addition to teaching the particulars of handling a PWC, the course also addresses the rules of the road, reading buoys, boat handling, and other boating safety related topics. In addition to waterside safety issues, personal watercraft (PWC) are a concern for many residents due to the noise that they create. There are residents in nearby homes and people who enjoy the nearby nature trail systems and parks who cherish the general tranquility of the area and who would be quite upset by the noise created from a significant increase in PWC operations. The issue often prompts active public discussion.

B. PUBLIC ACCESS AND MARITIME RECREATION

The issue of public access to water-related resources is key to the public enjoyment of the waterfront. Map 18 illustrates the different areas that offer public access and maritime recreation opportunities.

The Village's acquisition of Kinnally (formerly known as Marinello) Cove will provide the public with direct access to the river and a publicly owned small boat launching facility. The final design plans for Kinnally Cove and the non-motorized boat launch are being prepared and the target date to begin construction is Spring 2006. In January 2006 the permit application was submitted to NYS Department of Environmental Conservation (NYSDEC).

The one-acre MacEachron Waterfront Park is not suitable for boat launching, yet the park provides a passive recreational area for picnicking and community events with magnificent views of the Palisades and Manhattan.

MacEachron Waterfront Park and the Saw Mill River both provide fishing access, and yacht club members fish from their boats. However, because the New York State Department of Health has issued a health advisory cautioning people not to eat fish or crabs from the Hudson River caught in Hastings, most recreational fishing or crabbing is catch and release. The Village is hopeful that the health advisories for the River will be eliminated by the Department of Health after the remediation of the privately owned waterfront parcels has been completed.

Three private yacht clubs – Tower Ridge, Pioneer and Palisade – operate within the village's jurisdictional boundaries, and as mentioned above, the village is also planning to build a non-motorized watercraft boat launch on the north side of the tennis club at Kinnally Cove to accommodate kayaks and canoes. The Palisade Boat Club moors boats in Hastings' waters but its address is in Yonkers.

The Hudson Valley Health and Tennis Club has expressed an interest in developing a marina operation off its property. The Club does not currently have any existing water-related facilities, except for several underwater dolphins that remain from the previous marina use at the site. The Club has had a consulting firm study the area that has reportedly determined the site has a potential capacity for approximately 80 slips and it believed that the demand already exists. This project is still in the initial stages at the time this Plan is being prepared, and no additional information is available. The tennis club and the Village have an agreement that allows continuous public access to the waterfront across the club property.

At this time there is no location in Hastings-on-Hudson for swimming in the river. Pollution levels must first be determined to be safe for swimming to become a reality. When that happens, former beaches at Kinnally Cove or to the south of the Uhlich property that were used for swimming earlier in the last century could be restored or a roped-off area in deeper water with a swimming dock could be constructed. However, with the extensive remediation efforts underway in the vicinity of these locations, it will likely be many years before swimming actively returns to the area.

C. SPECIAL ANCHORAGES

Special anchorages are designated by the U.S. Coast Guard. They are defined as areas in which vessels under a specific length can moor without lights. Current mooring and slip capacities in the Village are as follows: 12 to 15 moorings with the Pioneer Boat Club; approximately 20 moorings used by the Palisade Boat Club; and 35 slips at the Tower Ridge Yacht Club.

A special anchorage area currently exists in Hastings-on-Hudson in the North End Mooring Field near the Tower Ridge Boat Club. However, this area is largely underutilized due to low tide and shallow water conditions. Any expansion in the use of this mooring field must be managed to accommodate the kayak and canoe launch planned for Kinnally Cove along with other passive recreational facilities.

A second anchorage area is located on the southern end of the Village, just north of the Palisades Boat Club. An important element of the Harbor Management Plan is that the area between the Palisade Boat Club and Pioneer Boat Club be designated as a special anchorage area, so that there is a continuous special anchorage area from the Palisades Boat Club to the Village's southern boundary, as indicated on Map 18. An extension of the existing special anchorage would increase the mooring opportunities available for residents and potentially for transient boaters who may wish to visit the newly redeveloped waterfront village.

D. UNDERWATER LANDS

Information on ownership of underwater lands is available in Village Hall on maps obtained from New York State.

E. WATERFRONT INFRASTRUCTURE

1. Utilities

Existing utilities at the waterfront are geared to serving industrial users. As noted in Section 2 the existing aged infrastructure will be removed and new utility corridors to accommodate future redevelopment on the waterfront will be identified during the DOS-funded LWRP Design and Engineering project. This will be prepared in co-ordination with the remediation work design.

2. Roadway System

The existing roadway system is presented in Section 2.11 of the LWRP. Contemplated improvements to the roadway system are discussed in the Section 3 of the LWRP and in Section 4.3. The Village will be addressing the roadway system in greater detail as Remediation planning for the ARCO and Tappan Terminal sites continues and during Infrastructure Design element of this LWRP.

3. Shoreline Protection

As land along the riverfront has developed, many naturally vegetated reaches of the shoreline have been replaced with man-made, protective structures. These structures are mostly in the form of bulkheads consisting of a mix of timber, sheet piling, stone revetment, dock platforms and timber piles that once supported active docks. Much of the bulkheading has been deteriorating over the past several years as the land has been virtually dormant. Pursuant to the on-going and planned remediation and redevelopment efforts along the Hastings waterfront, the deteriorated bulkheads will be replaced and/or repaired. The cost of constructing and maintaining bulkheads and rip rap is to be borne by the property owners.

There are also a few areas of natural shoreline, as discussed in the section detailing the recreational opportunities (such as boat launching) in the Village. Such areas include Kinnally Cove in the north, and several privately-owned parcels to the south.

4. Vessel Pump-Out Facilities

There are no pump-out locations located within the Village. The NYS DEC requires sanitation facilities be established based on a certain threshold of boats being active in the area. Hastings has yet to have the boating capacity to warrant a permanent sanitary facility.

G. FLOODING

According to the FEMA Flood Insurance Rate Map, about half of the Hudson River waterfront to the west of the Metro-North tracks is within the 100 year Flood Zone (Zone A3), with a Base Flood Elevation of 8', and a small portion is within Zone B, the area between the 100 Year Flood and 500 year flood. (Map 12, Flood Zones is in Section 2.10 of the LWRP Plan).

Much of the Saw Mill River floodplain is also within the 100 Year Flood Zone (A4). Some village residences experience temporary flooding during storms which exceed storm sewer capacity. In some cases this has been linked to specific construction projects. Yet overall, the Village has not historically experienced many problems associated with flooding, as much of it is built on moderate to steep slopes.

The flat land adjacent to the Hudson River in Hastings is neither high nor dry. Humans created the 50-acre landfill that makes up most of the waterfront over the last few hundred years, sometimes using traditional building materials, but more often debris of all sorts. Very little of this land rises high enough to prevent flooding if a "hundred-year storm" were to occur. Redevelopment efforts have incorporated planning for flood prevention and related concerns.

H. WATERFRONT LAND USE, ZONING AND REDEVELOPMENT

1. Land Use

The proposed land uses are shown on Map 17 and described in Section 4.1. Map 18 illustrates the key waterfront properties within the Village. The northern portion of the shoreline, bordered by the railroad tracks to the west, consists primarily of residential uses. The central waterfront area is in a state of transition. Although the waterfront is largely industrially zoned and derelict, recreational and commercial uses share the space and are gradually reviving the northern end.

To the south of these healthy businesses, lies the 28-acre former Anaconda site – currently owned by the ARCO Environmental Remediation L.L.C. (a subsidiary of BP) – a seriously contaminated New York State Superfund site (see § 2.13 of the LWRP, *Contamination on the Waterfront*, for full details). One former industrial use continues to occupy the site, which was repurchased by ARCO in 1998. The primary business of this tenant, Riverside Management, is automobile storage but also provides security and management services for the ARCO site. South of the ARCO site are the Mobil/Exxon property and the Uhlich Color property (Tappan Terminal site), also contaminated due to past industrial activities and under currently State-directed remediation. Remediation at the latter site is still in the planning stage. However, the Tappan Terminal Record of Decision was issued by NYSDEC in September 2006.

As on the northern waterfront, access to the river is limited on the southern end by the presence of the Metro-North tracks. New York State, the Village and a Yonkers-based yacht club, the Palisade Boat Club at the Yonkers border, own the submerged properties west of the tracks. The steep hillside east of the tracks and west of Warburton Avenue is only partially developed, although single-family residential owners occupy over half of the area.

2. Zoning

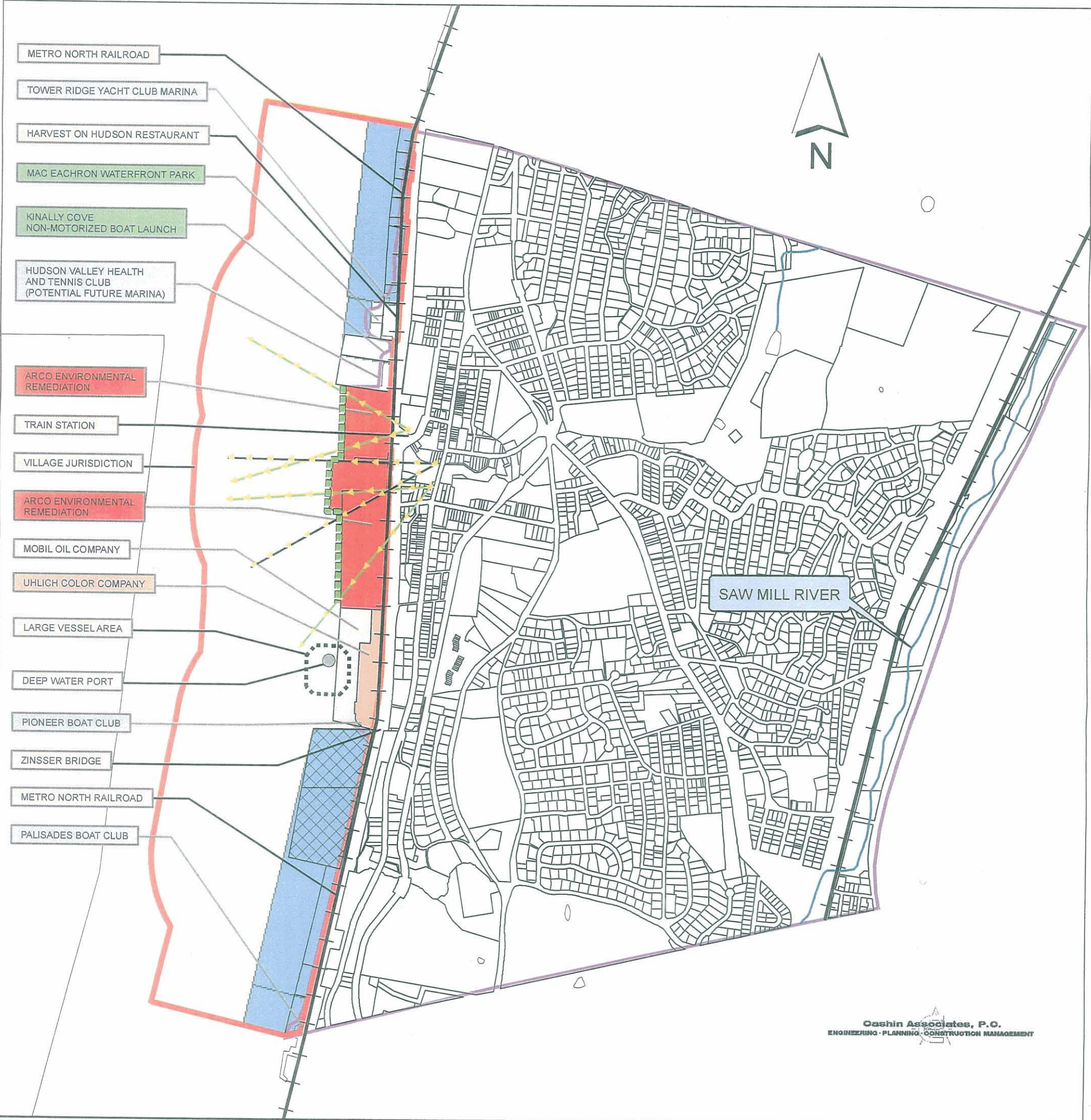
The northern part of the central waterfront is zoned as a Marine Waterfront (MW) district. Uses permitted almost mirror what is actually there: yacht clubs or marinas, fishing and marine supply sales, a beach, swimming or park facility, and restaurants. Public access to the waterfront is required and, as a condition of site plan approval, the Planning Board may require a setback from the water-line of sixty feet along with a public easement between the waterfront and the closest public street.

The ARCO, Mobil and Uhlich properties are still zoned as General Industrial (GI) districts. The newer zoning districts – MW-A and MW-B – were created and approved in 1989, but have not been mapped. GI zoning, as mentioned above, requires a public hearing for any proposed new use or business. The ARCO, Mobil and Uhlich properties will be rezoned in connection with the LWRP, as described in Section 2.4 of the LWRP, in a manner that limits development so as to be consistent with the LWRP. This area is displayed on Map 19, Proposed Zoning.

3. Recreational Use of the Waterfront

The issue of public access to the waterfront is of key concern in the redevelopment process. The Village is home to water-dependent and water-enhanced uses that are highlighted briefly here, and are discussed in depth in § 2.5 of the LWRP.

Water-Dependent Uses: Hastings has two locations, Kinnally Cove and the private beach owned by the River Glen Cooperatives, where residents can launch non-motorized craft (such as canoes or kayaks). There are also two private yacht clubs (Tower Ridge on the north end and Pioneer in the south end) that are used by power boats and sailboats. The two facilities provide protected slips and mooring locations in two anchorage areas in Hastings-on-Hudson waterfront. A third facility, the Palisades Boat Club, also moors boats in Hastings waters, but the property address is in Yonkers. It is the third oldest boat club in the country. MacEachron Waterfront Park and the Saw Mill River provide fishing access, and yacht club members fish from their own boats.



Legend

- 1500 FT HARBOR MANAGEMENT PLAN BOUNDARY
- MUNICIPAL BOUNDARY
- MOORING FIELDS
- UNDERWATER LAND (NYS WATER GRANT)
- RAILROAD
- EXISTING BULKHEAD
- PUBLIC RECREATION
- PRIVATE RECREATION
- OTHER
- VIEWSHED

MAP 18
VILLAGE OF HASTINGS-ON-HUDSON
LOCAL WATERFRONT REVITALIZATION PLAN
HARBOR MANAGEMENT PLAN



Water-Enhanced Uses: MacEachron Waterfront Park and Kinnally Cove offer direct waterfront access. At the park, residents may enjoy activities such as walking, picnics, fishing, and a playground. Two restaurants, Harvest on Hudson and Blu, operate in the waterfront area.

4. Waterfront Redevelopment Potential

Kinnally Cove

With its acquisition of Kinnally Cove, the Village opens up new opportunities for access to the river not only for the launching of small boats, but for fishing, educational activities and passive recreation. Largely underwater and with only a small amount of shoreline at high tide, the Cove becomes a mud flat at low tide. The Cove and its fringe of vegetation attract a wide variety of birdlife. Kinnally Cove has been designated a future Water Trail Site by the Hudson River Valley Greenway. The Village has received funding from State and foundation sources for its redevelopment as a park and launching area for non-motorized watercraft. The beaches at Kinnally Cove that were used for swimming earlier in the last century could be restored at a future time after remediation of the waterfront.

ARCO

The ARCO site is a 28-acre parcel that was constructed of fill and occupied by a variety of industrial uses. The future redevelopment of this property is addressed in Section 2.4 of the LWRP.

Mobil – Uhlich (Tappan Terminal)

Exxon / Mobil owns 8.13 acres of waterfront property south of the ARCO site. Uhlich Color Company owns 6.37 acres adjacent to the east of this land. Together, these properties are referred to as the Tappan Terminal Inactive Hazardous Waste site by the Department of Environmental Conservation. The future redevelopment of this property is addressed in Section 2.4 of the LWRP. The site offers excellent water-side opportunities. The two cluster piers off the Mobil site's shoreline were built to accommodate the docking of oil tankers when the site was a fuel storage facility. This deep water port would be an ideal location for temporary docking of large vessels. Since the Mobil dock has not been used for several years, the river may need dredging to create the full deep-water potential. However, most small cruise vessels do not need more than five (5) to ten (10) feet of water, which may currently be available at this location. The bridge connecting the cluster piers to the shore has been removed and must be reconstructed in order to regain access. The piers could also be used for recreational fishing and passive enjoyment of the view.

J. PROPOSED WATER USES

The coastal waters adjacent to the Village of Hastings-on-Hudson presently are used primarily for recreational boating, based at the local boating clubs (Tower Ridge Yacht Club, Pioneer Boat Club and Palisades Boat Club). It is proposed that these water-dependent uses, and the in-water activities they support, be retained and, to the extent practicable, augmented to support increasing demand by local recreational boaters. It further is recommended that the protected area in the Hudson River to the south of Pioneer Boat Club be officially designated as a Special Anchorage Area, so that it is identified on the navigational charts.

Redevelopment of the Village's 43-acre former industrial waterfront area should include additional water-related uses to enhance recreational enjoyment of the Hudson River, potentially including one or more of the following:

- expanded recreational vessel access to the river;
- swimming area, when environmental conditions permit, and subject to public safety oversight as deemed appropriate;
- youth-oriented boating programs;
- mooring opportunities for historic boats;
- opportunities for the launching of small boats (i.e., canoes, kayaks); and
- rehabilitation of cluster piers in the deep-water area of the waterfront for use as a fishing pier and dockage for large boats.

No PWC or other motorized watercraft is to be operated in Kinnally Cove at any time; the area subject to this restriction is indicated on Map 18. No PWC or other motorized watercraft is to be launched from the kayak and canoe launch to be built at Kinnally Cove. No motorized watercraft is to be launched from any public property abutting the Hudson River in the Village, except at such locations as the Village may in the future designate; no such locations are designated at this time.

All motorized watercraft (including PWCs) shall operate at less than 5 mph (no wake) in the area east of the pier head line along the entire two-mile waterfront; this area is indicated on Map 18.

The Village may also allow turbines to be placed below the river surface to generate electricity using the river's tidal flow, provided that (i) such turbines are determined to be compatible with the non-industrial character of the area; (ii) any transmission lines associated with such turbines are below grade, unobtrusive and do not interfere with the planned residential and recreational uses of the waterfront; (iii) any substation associated with such turbines is modest in size and of a design and location compatible with the planned residential and recreational uses of the waterfront; and (iv) the Village determines the project to be in the public interest.

4.3 PROPOSED PROJECTS AND OTHER ACTIONS

Section 4.3 described the proposed studies, projects, uses, plans and educational programs that have been recommended to assist the Village in determining the optimum redevelopment plans and strategies for implementation.

4.3.1. INTEGRATION OF PUBLIC SPACE, ROADWAYS AND UTILITY CORRIDORS WITH REMEDIATION

The principal waterfront properties (the ARCO, Uhlich and Exxon-Mobil properties) comprise two inactive hazardous waste sites under the jurisdiction of the New York State Department of Environmental Conservation (NYSDEC). The remediation of these sites is expected to be performed in the next several years and must, at a minimum, conform to the cleanup requirements that NYSDEC imposes. The remediation of these sites is expected to involve the physical removal of high levels of contaminants from the sites and the construction of a "cap" over the sites to prevent future exposure to contaminants not removed from the sites.

The remediation work to be performed at the sites presents an opportunity to begin work on the ultimate redevelopment of the sites for park land and other uses consistent with the LWRP. It is likely that certain elements of the redevelopment may be incorporated into the remediation-related construction efforts without any material increase in the cost of those efforts. Such an approach will accelerate the implementation of the LWRP's land use plan for the waterfront properties and is in the public interest.

Since a cap over the properties will be required, the entities responsible for constructing the cap under NYSDEC's oversight should be encouraged to design the cap so that, in the area of a future road, the cap consists of the road itself and the adjoining sidewalk, instead of putting down soil that would need to be dug up later to build the road. The design of the cap should also incorporate utility corridors and other significant public elements of the future development, such as the esplanade and possibly even aspects of the landscaping required for the park. If the remedial work is designed in a manner as to incorporate these elements into the construction work required for the cap, it would assist the Village in developing the waterfront in the manner envisioned by this LWRP. Such measures could significantly reduce the cost of the park and other future development, allowing more resources to be spent on public amenities and other necessary infrastructure. NYSDEC and the Village should seek to work with the entities performing the remediation such that by the time the cap on the sites is completed, the roads and utility corridors and public park are largely completed, with identified lots reserved for future development consistent with the scale, uses and other elements of this LWRP. This approach to constructing the cap would be preferable to a large cap that does not incorporate any of the elements required for future public access to the properties.

To achieve this goal, the Village will need to provide the entities undertaking the remediation effort at the sites specific requests for, and the locations of, roads, sidewalks, utility corridors that are sufficiently detailed so that their engineers are able to reduce the requests to the type of construction blue prints that will be submitted to NYSDEC and the Village for approval, to be eventually used for the construction work required to implement the cleanup plans. The Village has received a grant for this purpose. The NYS Department of State (NYSDOS) and the Village executed an agreement in March, 2005 for the "Design and Engineering of Waterfront Infrastructure." The \$150,000 that NYSDOS will provide requires \$150,000 Village match to the project. These funds will be used to hire engineering and landscape architecture consultants to complete plans and designs for infrastructure related to the public elements of the Village of Hastings-on-Hudson Waterfront Redevelopment Plan and the Implementation Strategy. These public elements include waterfront parks, esplanade, roads and utilities on portions of site where the village has an ownership interest.

The project is broken into two phases. The first phase involves development of schematic drawings and the Village obtaining site control over the property. The second phase of the project involves the preparation of final construction drawings. The Village will not be eligible for reimbursement of the second phase until the phase one tasks are completed, including Village site control of the property. A \$60,000 grant from NYS DOS (with a \$60,000 match from the Village required) for Implementation of the LWRP includes establishment of a Local Development Corporation (LDC), or similar public entity, to facilitate public site control and redevelopment plan implementation.

The approach outlined above requires the Village to take pro-active steps to communicate with the liable parties who are undertaking the cleanup work under NYSDEC's direction. The specific location of roads, utility corridors, and the esplanade, for example, should be identified. This approach is consistent with the recommendations that the U.S. Environmental Protection Agency has made to facilitate the re-use of contaminated sites. (*Reusing Cleaned Up Superfund Sites: Recreational Use of Land Above Hazardous Waste Containment Areas*, EPA 540-K-01-002, OSWER 9230.0-93 (March 2001).)

4.3.2. LAND ACQUISITIONS

Implementation of the proposed redevelopment of the 43-acre area of former industrial land on the Village's waterfront may entail public acquisition of all or part of the following three properties which currently are in private ownership:

- approximately 28 acres owned by ARCO Environmental Remediation, L.L.C.;
- approximately six acres occupied by Uhlich Color Company; and
- approximately eight acres owned by Mobil-Exxon.

The mechanism for undertaking the proposed redevelopment plan has not yet been selected. Further investigation is recommended to determine how the Village's waterfront planning objectives and goals would be best served, and whether public purchase of one or more of the involved parcels would be advantageous to the Village and its residents. See Section 4.3.C below for a detailed description of various implementation mechanisms that currently are under consideration by the Village.

The Village acquired the following two properties specifically as critical to implementing the policy to improve public access to the Hudson River:

- The 1.1 acre parcel and adjacent waters of Kinnally (formerly Marinello Cove), located immediately to the north of the 43-acre former industrial waterfront property — This parcel will be used to enhance public access to the riverfront as a location for small non-motorized boat launching and for ecological resource preservation.
- The former Graham Windham property, which extends between Broadway and the shoreline of the Hudson River at the south end of the Village — This property totals 14.25 acres in four parcels (three upland parcels and one parcel of underwater land) which are traversed by the Old Croton Aqueduct State Historic Park and by Warburton Avenue. This acquisition enhanced passive public access to the waterfront, with connections to existing trails, such as the State's Old Croton Aqueduct Trail and the Village's Rowley's Bridge Trail; and preserves a range of habitat types. Important resources include: expansive views at vantage points along the shoreline from which can be seen the Palisades to the west, the Tappan Zee Bridge to the north, and the Manhattan skyline to the south; diverse vegetative communities, including wetlands in the underwater portion of the site and trees that are more than 100 years old on the hillside comprising the upper portion of the site; and rich fauna, including a large number of bird species.

4.3.3. PROPOSED CAPITAL PROJECTS

The following is a list of capital projects that are recommended for the Village's consideration to implement the goals and objectives of this LWRP:

Implement Public Components of Proposed Waterfront Redevelopment Plan To the extent practicable, the Village should seek to have private developers of the 43-acre former industrial waterfront area undertake the costs associated with public improvements, including on-site roadways and portions of the waterfront esplanade. However, there are a number of components of the proposed plan that likely will require public funds for implementation, including the following:

- park development including, but not necessarily limited to, roadways within the park area, village green, ballfields, trails and walkways through the park area, playground facilities, benches, picnic tables, and possibly daylighting of the stream which presently is contained in an underground culvert that extends from the adjacent Ravine
- public buildings (e.g., performing arts center, community center, museum, indoor civic space, field house with indoor pool, and other facilities for recreation or social gathering)
- floating piers for public dockage and associated amenities (e.g., electrical supply, lighting, fresh water supply, vessel waste pumpout facility, restrooms, dockmaster's building, etc.); the south end of the site has been identified as an area which may be well-suited to new public docking facilities, which could be used to access the adjacent mooring field
- rehabilitation of cluster piers in the deep-water area of the waterfront for use as a fishing pier and dockage for large boats
- facilities for the launching of small, roof-top, non-motorized boats, such as canoes and kayaks
- community boat house for youth-oriented boating programs

Improve Roadway and Pedestrian Connections to the Waterfront Redevelopment Area

Appropriate action should be taken to improve roadway and pedestrian connections across the railroad tracks to the Village's waterfront on the Hudson River, based on the findings of the recommended feasibility study described in Section 4.3.6 below. Redevelopment plans have sought to incorporate ways in which improvements may be made to the existing roadway and pedestrian connections across the railroad tracks to the Village's waterfront on the Hudson River.

Enhance Trail System There is an extensive upland trail system, which is utilized by hikers and cyclists, and offers scattered views of the waterfront that would benefit from enhancements and growth. Implementation of the following improvements would enhance public use of trails within the Village of Hastings-on-Hudson:

- interconnections among the trailways and linkages to other points of interest and to the waterfront, including possible land acquisitions to span existing gaps in the trail network;
- a continuous trail within the Village along the Hudson River, or as close as feasible to the river, extending northward and southward from the new waterfront esplanade which will be situated within the waterfront redevelopment area, including the following components:

- heading north from the waterfront redevelopment area, it may be necessary to establish trail easements on private property, just east of the Metro North tracks, as deemed appropriate by future investigations; and
- improved sidewalks and scenic overlooks along the southern part of Warburton Avenue, as proposed by the County Planning Department.
- linkages to adjacent communities, as part of a continuous pedestrian trail spanning the full length of the Hudson River shoreline (i.e., the County's proposed Riverwalk concept);
- certain physical improvements and maintenance, such as the clearing of debris and vegetative overgrowth from trails, and implementation of erosion control measures;
- additional signage and other means of promoting public awareness; and
- creation of a trail on the Quarry Railroad bed to link the Aqueduct Trail with the waterfront.

Improve Access to the South County Trailway Along the Saw Mill River New bicycle and pedestrian trails will be provided across State and County property to link the east end of the Ravensdale Bridge to the South County Trailway. The trail will use the old Mount Hope Station Bridge over the Saw Mill River which has direct access from Route 9A. Heading south, the trail will follow the west side of Route 9A to link with the Ravensdale Bridge. The proposed Saw Mill Lofts Live / Work development will also provide a pedestrian bridge across the river at the south end of its site. The goal is to provide safe and attractive access to the South County Trailway that enables cyclists and pedestrians to cross the Saw Mill River Parkway and avoid traveling along Route 9A.

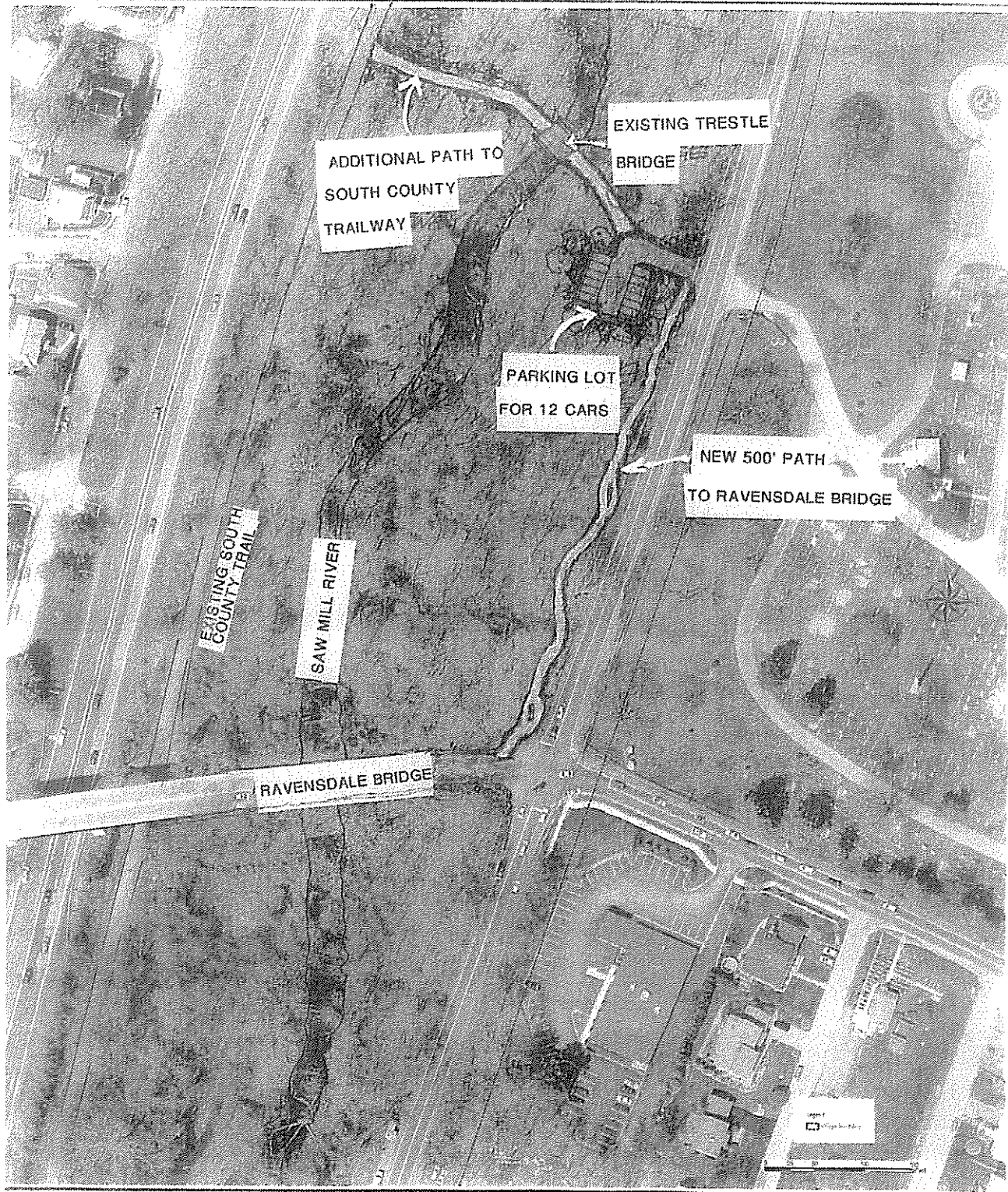
Establish Small Boat Launching Facility and Restore Wetland at Kinnally Cove The Village acquired this property in 2002 in order to establish a small boat access facility (i.e., for canoes, kayaks, etc.) consistent with the environmental sensitivity of the tidal flats present in that area and other constraints. The proposed plan also includes a tidal marshland which, if approved, would be planted in the last phase of this park improvement project. This will be developed in 2007.

Restore Sugar Pond The value of this small, freshwater body has been degraded by various impacts, including invasion of *Phragmites*, algal blooms, excessive sedimentation, and a possible decline in the bullfrog population. A project to mitigate these impacts would improve the pond's ecological quality and, thereby, would enhance the recreational and educational importance of this resource for the local community. As a first step for this project, an investigation would be needed to define more specifically the extent of the impacts to which Sugar Pond has been subjected, and to determine the best strategy for restoring the pond. As part of this restoration effort, a watershed management plan should be developed and implemented to mitigate sedimentation and other stormwater-induced impacts to the pond.

4.3.4. PROPOSED MANAGEMENT PLANS

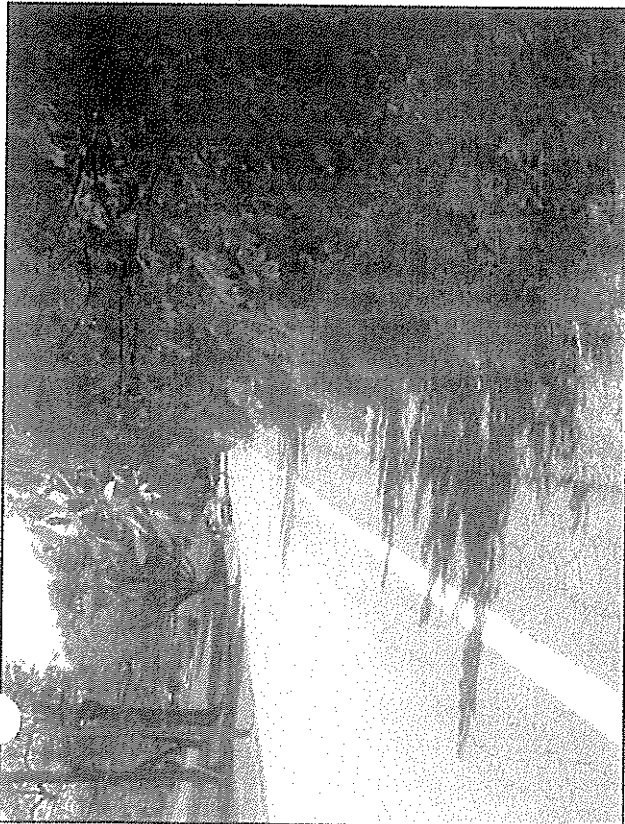
Develop and Implement a Stormwater Management Program Under the provisions of the U.S. Environmental Protection Agency's Final Stormwater Phase II Rule, pursuant to the 1987 Amendments to the Federal Water Pollution Control Act (commonly known as the Clean Water Act), the Village of Hastings-on-Hudson successfully applied for a National Pollution Discharge Elimination System (NPDES) permit for its stormwater drainage system before March 10, 2003.

WESTCHESTER COUNTY, NEW YORK

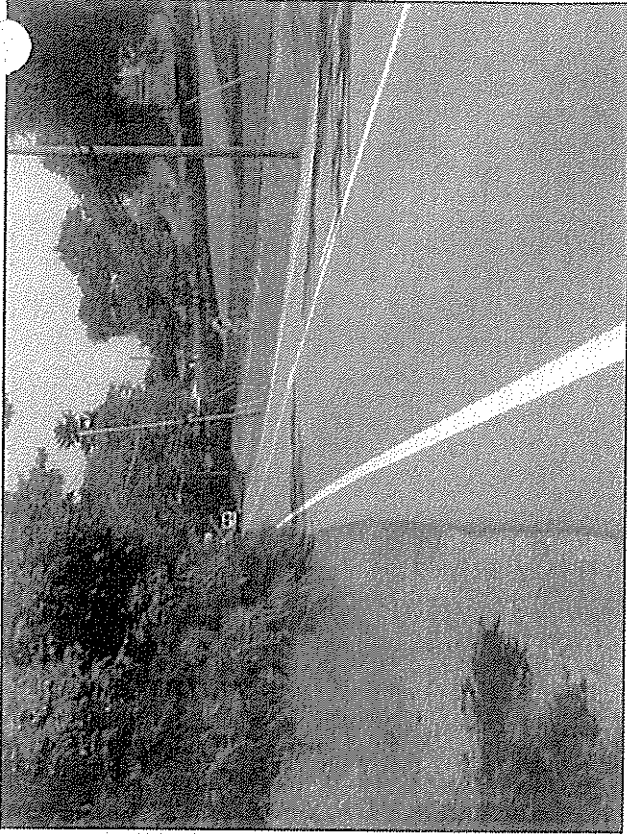


VILLAGE OF HASTINGS-ON-HUDSON

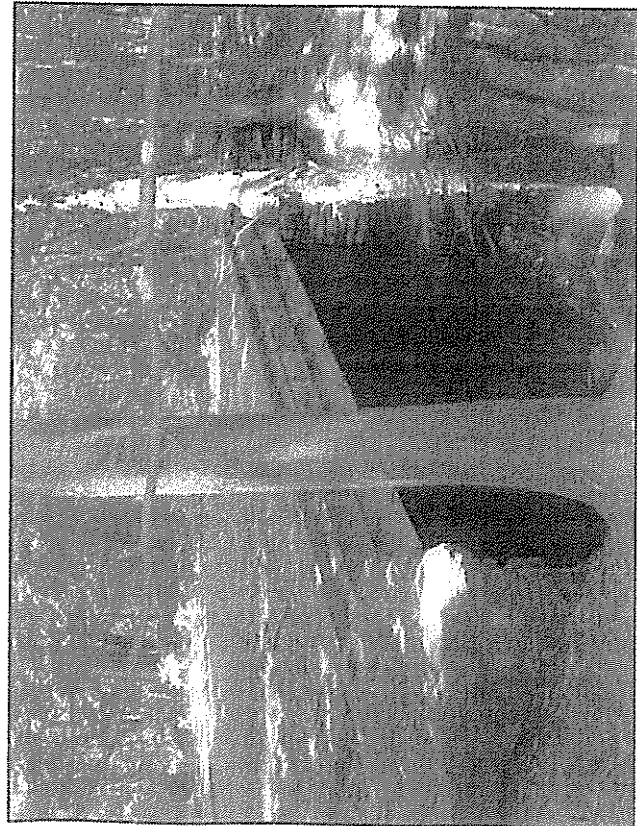
FIGURE 4A.2



Current walkway conditions along route 9A.



Narrow shoulder along 9A West.
(Mt. Hope Cemetery on right)



Existing Trestle Bridge to former Mt. Hope Train Station.



Northbound View from Trestle Bridge of Saw Mill River.

KINNALLY COVE PLANNED IMPROVEMENTS

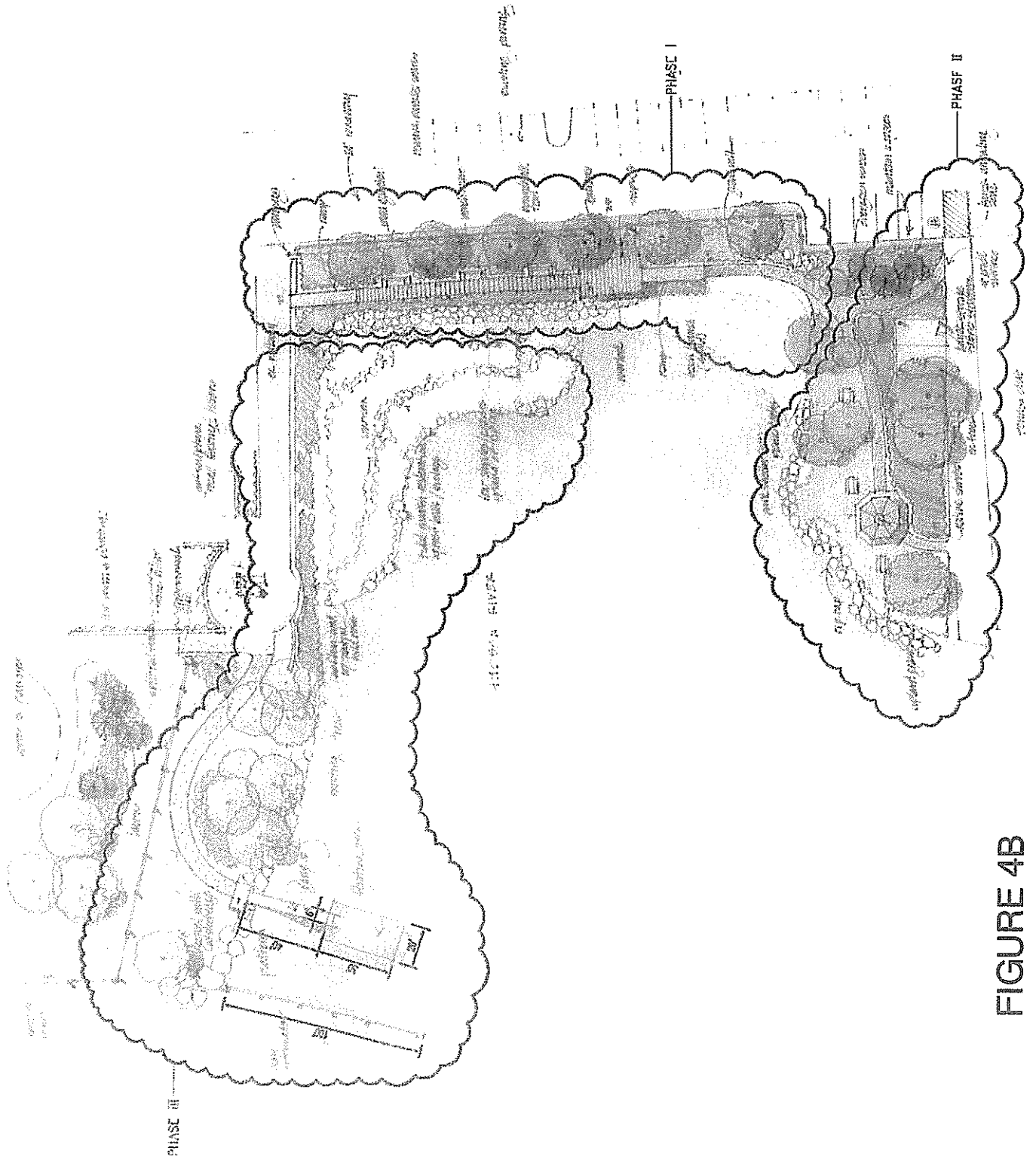


FIGURE 4B

By the end of the first permit term, five years after issuance of the original permit, the Village will be required to implement a stormwater management program designed to reduce or prevent the discharge of pollutants to adjacent receiving waters. That program must incorporate a series of stormwater discharge management controls (best management practices). The Village continues to pursue the following six required minimum control measures:

1. *Public education and outreach:* distributing education materials (e.g., brochures, fact sheets, printed guides targeted to specific groups, an educational library, a web site, a stormwater hot line for the dissemination of information and to allow the reporting of polluters, informational signage); and performing outreach to inform the public about the impacts that polluted stormwater discharges can have on the water quality of receiving waters and the steps that can be taken to reduce stormwater pollution (e.g., special events, enlistment of volunteers for special events, educational programs for school-aged children, economic incentives for the purchase of biodegradable lawn products and other products that would decrease the generation of non-point source pollution).
2. *Public participation/involvement:* providing opportunities for the public to participate in program development and implementation, such as well-publicized public hearings, encouraging citizen representatives to participate on a stormwater management panel, eliciting volunteer assistance with water quality monitoring, conducting public workshops, stenciling storm drains, conducting community clean-up events, establishing citizen watch groups, instituting adopt-a-storm-drain and adopt-a-roadway programs, etc.
3. *Illicit discharge detection and elimination:* developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system (i.e., any discharge other than normal stormwater runoff), including the following measures: prepare a storm sewer system map; enact a local law or other suitable regulatory mechanism prohibiting the discharge of non-stormwater into the Village's stormwater drainage system, and implement appropriate procedures and actions to enforce said law; develop a plan to detect and address non-stormwater discharges into the Village's stormwater drainage system; and educate Village employees, businesses and the general public regarding the hazards associated with illegal discharges and improper disposal of wastes
4. *Construction site runoff control:* developing, implementing and enforcing a program to control erosion and sediment transport for construction activities that disturb one or more acres of land, including the following measures: enact a local law requiring the implementation of proper erosion and sediment control measures, and controls for other wastes, on regulated construction sites; consider water quality impacts during site plan review; undertake site inspection and enforcement of control measures during construction; establish appropriate and effective penalties for non-compliance; and establish a mechanism for the receipt and consideration of information from the public regarding activities on construction sites

5. *Post-construction runoff control*: developing, implementing and enforcing a program to address discharges of post-construction stormwater runoff from new development and redevelopment areas, including the following measures: enact a local law requiring the use of best management practices on development and redevelopment sites, incorporating preventative actions (such as protecting wetlands and other sensitive areas) and/or the use of structure measures (such as grassed swales or porous pavement); and implement a mechanism to ensure adequate long-term maintenance of controls
6. *Pollution prevention/good housekeeping*: developing and implementing a municipal operation and maintenance program, with the goal of preventing or reducing pollutant runoff from municipal operations; this program must include training of municipal staff regarding pollution prevention techniques (e.g., regular street sweeping, reduction in the use of pesticides and street salt, frequent clean-out of catch basins and other drainage structures, etc.).

Under the Phase II Rule, the Village is required to establish a set of measurable goals, defining target dates for the accomplishment of specific implementation activities, for each of the six required minimum control measures. Additionally, the Village must evaluate the effectiveness of its program, to determine whether the chosen measures are reducing the discharge of pollutants to the maximum extent practicable and to determine whether the program is satisfying the requirements of the Clean Water Act. It is also necessary periodically to evaluate the program's success in conforming to the measurable goals.

4.3.5. ADMINISTRATIVE ACTIONS

The Village of Hastings-on-Hudson joined the Hudson River Valley Greenway Communities Council by means of a resolution recently passed by the Village Board of Trustees in support of the Greenway Principles. In December, 2005, the Village increased its access to funding and other assistance from the Hudson River Greenway by adopting a resolution to join the Westchester County Greenway Compact.

4.3.6. RECOMMENDED STUDIES

The following is a list of natural resource and land use investigations that would advance the goals and objectives of this LWRP:

Undertake a Feasibility Study to Improve Roadway and Pedestrian Connections to the Waterfront Redevelopment Area Currently, only limited connections provide access across the railroad tracks to the Village's waterfront along the Hudson River. At the north end of the waterfront redevelopment area, the Dock Street Bridge is poorly suited to pedestrian use and traffic flow problems occur because of sharp curves on the connecting ramps which are difficult to maneuver through (especially for trucks). At the south end of this area, the Zinsser Bridge connection to Southside Avenue presently is of substandard design and has been closed.

It is recommended that a comprehensive study be undertaken to develop a plan for improving roadway and pedestrian access to the waterfront redevelopment area. This plan could be undertaken upon completion of the Transportation and Pedestrian Enhancements Plan in Winter 2006 and should include consideration of the following potential projects:

- reconstruct the Dock Street Bridge and its connecting ramps, so as to improve pedestrian crossing and mitigate existing traffic flow problems
- widen and upgrade Zinsser Bridge to conform with current design standards to allow vehicular and pedestrian access for the general public
- construct additional bridges across the Metro North tracks at appropriate locations, especially to augment pedestrian access, focusing especially on the westerly terminus of Washington Avenue and the proposed Quarry Trail (to be developed by 2007)
- connect Zinsser Bridge directly to Warburton Avenue (in the vicinity of the Pinecrest Drive intersection), to improve travel between the waterfront redevelopment area and points south — traffic using the existing Zinsser Bridge must travel the length of Southside Avenue to access the Village's main roadway network at Washington Avenue, which also is the point of connection to upland roadways in the Village for traffic across the Dock Street Bridge
- enhance linkages east of the waterfront to the Aqueduct, across the Zinsser Parking Lot
- enhance the route and improve signage through the Village downtown area, up Main Street and to the Aqueduct

The recommended feasibility study should address parameters such as traffic capacity and safety, preservation of vegetation, stability of steep slopes, project costs and funding sources.

Study Feasibility of Creating Bicycle Connections to South County Trailway Public use of South County Trailway would be augmented by providing enhanced linkages for bicyclists, in addition to the improvements recommended elsewhere in this document with respect to pedestrian access to the trailway.

Examine Feasibility of Reconstructing Overpass at Mount Hope Boulevard to South County Trailway A bridge that previously spanned over the Saw Mill River Parkway and the railroad tracks at this location has been removed. The feasibility of reconstructing this bridge, and establishing other points of access which would link the Village's trailways to the South County Trailway, should be examined.

Determine Feasibility of Preserving Certain Existing Structures in Waterfront Redevelopment Area The planning process for redevelopment of the Village's former industrial waterfront area has indicated significant local support for the preservation of certain existing structures in this area, including the water tower, and possibly all or parts of Buildings 51 and 52. A study has been undertaken by ARCO to identify any architectural or historic significance of the remaining Buildings 51 and 52 and whether or not these structures could be incorporated into the redevelopment plan. Engineering studies were conducted on all of the building and most were found to be unsound and have been demolished in preparation for the site cleanup. Policy 13.5 outlines guidelines for the study.

Identify Locally Significant Habitat Areas Existing information should be compiled regarding the ecological resources of the Village of Hastings-on-Hudson, in order to identify specific areas that may merit special designation as locally significant habitats. This investigation should include a detailed characterization of the fish, wildlife and vegetative communities in following areas:

- the open waters of the section of the Hudson River in the vicinity of the Village of Hastings-on-Hudson;
- tidal marshes and flats along the shoreline of the Hudson River;
- intact segments of natural stream corridors; and
- freshwater wetland areas, especially those along the Saw Mill River corridor, and associated upland preserves.

Identify Locations for Tidal Wetlands Restoration Because of the extent of shorefront modification, there are no remaining areas of vegetated tidal wetlands in the Village of Hastings-on-Hudson. An investigation should be undertaken to identify locations where such projects may be feasible.

Investigate the Feasibility of Providing a Public Marina During the public planning process for the waterfront redevelopment area, a general consensus was reached that a public marina should be considered for inclusion in the mix of future uses. A marina is a water-dependent use, which would enhance public access for in-water activities such as recreational boating. A feasibility study should be undertaken to confirm that a public marina would be viable as part of an overall redevelopment plan for the 43-acre waterfront area, and to identify a suitable location for such a facility. This investigation should examine the full range of site-specific environmental and economic issues, including the availability of adequate water depths and the possible need for dredging.

Determine Desirability of Local Wetland Preservation Law As detailed under Policy 5.4, current federal and state regulations may not provide adequate protection to small, but locally important, natural stream corridors and freshwater wetland areas in the Village of Hastings-on-Hudson. After the Village's freshwater wetland resources have been surveyed and catalogued, an assessment should be conducted to determine the desirability of a local law to regulate activities in these wetlands.

Review Feasibility and Desirability of Enacting Local Historic Preservation Law The Village should investigate the feasibility and desirability of adopting a local law to establish a procedure for preserving important local historic structures and sites. Such a law, if deemed to be advisable, would regulate development that may affect designated historic and cultural resources, establish procedures for the local designation of historic buildings and landmarks, and set up an Historic Preservation Commission (or other suitable entity) to recommend structures and sites that merit preservation due to historic or archaeological resource value. Initially, the properties in the Village that currently are listed on the National and State Registers of Historic Places could be considered for inclusion on a local list of historic landmarks. Other suitable resources would be expected to come to light after the Village undertakes further investigation.

Review the Limited Industry (LI) Zoning District — The primary focus of the Village's recent planning efforts has concerned the 43 acres of former industrial land directly along the waterfront, which area clearly offers the greatest opportunity and challenge for the Village's future. However, the LI district, covering a narrow band of properties to the east of Southside Avenue, also merits a close review to determine whether the current zoning provisions for that district adequately serve the long-term vision for the Village set forth in this LWRP. Therefore, it is recommended that a study be undertaken to evaluate the existing provisions in the Village Code for the LI district and to formulate amendments, as appropriate, to ensure that future development in the affected area best advances the Village's goals and objectives for the waterfront.

4.3.7. PROPOSED PUBLIC EDUCATION PROGRAMS

Public education efforts should be augmented with respect to the environmental impacts of the removal of established vegetation and other development activities in areas of steep slope, improper disposal of household hazardous wastes and vessel wastes, excessive application of fertilizer and turf chemicals, and other human actions. In addition, it is recommended that the responsibility of members of the general public to act as stewards of the environment be emphasized whenever possible.

In addition to the environmental education initiatives outlined above, it is recommended that intensified efforts be undertaken to promote public awareness of the historic resources present in the Village. The installment of the "Museum in the Streets," a self-guided walking tour of 34 historic sites in Hastings in Fall 2005 began the implementation of this recommendation.

The Village of **HASTINGS-ON-HUDSON** Local Waterfront Revitalization Program

SECTION V **TECHNIQUES FOR** **IMPLEMENTATION OF THE PROGRAM**



SECTION V TECHNIQUES FOR IMPLEMENTATION OF THE PROGRAM

5.1 EXISTING LOCAL LAWS AND REGULATIONS

The following local laws and regulations of the Incorporated Village of Hastings-on-Hudson are relevant to the implementation of this LWRP.

Chapter 131 (Environmental Quality Review) implements the provisions of the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, and its implementing regulations codified at 6 NYCRR Part 617) for the Village of Hastings-on-Hudson.

Chapter 146 (Flood Damage Prevention) regulates development within flood plains, based on the regulations promulgated by the Federal Emergency Management Agency (FEMA), as based on the Flood Insurance Study, Village of Hastings-on-Hudson, New York, Westchester County. Chapter 146 establishes construction standards to minimize potential damage due to flooding, and requires the procurement of a development permit from the Village Engineer prior to the commencement of construction or any other development within the area of special flood hazard, as delineated by FEMA. A certificate of compliance from the Building Inspector is required before any new or modified structure in the flood plain may be occupied.

Chapter 201 (Offensive, Toxic or Noxious Matter) prohibits the discharge of any material into the open air that would be detrimental or annoying to any person, or injurious or damaging to business or property.

Chapter 209 (Parks and Recreation) establishes a Parks and Recreation Commission whose responsibilities include: making policies to govern the regulation and use of village parks, recreation programs and related facilities; ascertaining and evaluating the recreation needs of all village residents, and recommend to the Superintendent of Parks and Recreation, from time to time, the establishment, operation and expansion or retrenchment of parks and recreation services with respect to these needs; developing and recommending to the Mayor and Board of Trustees plans for future park and recreation programs and facilities, capital projects and improvements; recommending long-range plans to the Board of Trustees, and also recommend operating policies and regulations for the Department, for the protection, conservation and enhancement of the natural plant life, wildlife, brooks, ponds and other water resources, soils and scenic beauty of village park lands; and advising the Mayor and Board of Trustees on matters having to do with the regulation and use of the parks and recreation facilities. Chapter 209 also prohibits buildings, structures, paving or other improvements or facilities of any kind (other than replacement, maintenance, alteration or repair of an existing building, structure, pavement, improvement or facility) in any naturally vegetated area of Hillside Park.

Chapter 217 (Performance Standards) establishes standards for allowable conditions with respect to various environmental parameters, including: noise, in terms of specific decibel levels at varying frequencies, duration, daily time periods, as well as various qualitative characteristics (e.g., use of loudspeakers, engine noises, persistent pet noises, etc.); vibrations, in terms of frequency and vibrational displacement; smoke, dust and other atmospheric pollutants, in terms of the Ringlemann Smoke Chart and emission rates; odorous, toxic or noxious matter; radiation and electromagnetic interference; fire and explosive hazards; liquid or solid wastes; and vehicular traffic.

Chapter 224 (Property Maintenance) establishes standards for maintaining properties in the Village of Hastings-on-Hudson so as to safeguard the safety, health and welfare of the public. The requirements of this chapter cover exterior areas, buildings and structures, control of vermin, and garbage and refuse storage.

Chapter 234 (Signs) establishes a permit procedure for the placement of signs in the Village.

Chapter 244 (Solid Waste) establishes local regulations for the storage, collection and disposal of solid wastes in the Village of Hastings-on-Hudson. This chapter also contains a specific prohibition on littering.

Chapter 249 (Steep Slopes) establishes requirements governing areas with ground slopes of 15 percent or greater, in an effort to preserve steep slopes to the greatest extent practicable and to regulate their use so as to minimize deleterious effects of development on slopes through proper management. This chapter limits the extent of clearing and development that can occur on steep slopes, as follows: for slopes of 15 to 25 percent, a maximum of 35 percent of such area can be developed, paved, regraded, or stripped of vegetation without appropriate measures to prevent erosion; for slopes in excess of 25 percent, a maximum of 25 percent of such area can be developed, paved, regraded, or stripped of vegetation without appropriate measures to prevent erosion. Building permit applications in areas of steep slopes are required to contain a statement by a licensed professional engineer certifying: that the proposed activity will disturb the steep slope area to the minimum extent practicable; and that the proposed mitigation measures will prevent, to the maximum extent practicable, the adverse effect of any disturbance of the steep slope area on the environment and neighboring properties.

Chapter 252 (Streets and Sidewalks) mostly contains standards for the maintenance and use of streets and sidewalks in the Village. This chapter contains a prohibition against the introduction into any street, sidewalk, drain, ditch, gutter or sewer in the Village of any substance that would cause an obstruction, nuisance or injury to same.

Chapter 273 (Tree Preservation) establishes a permit procedure for the removal of trees with diameter at breast height of 12 inches or greater from any lot of one acre or more, or adjoining lots of an aggregate size of one acre or more under common ownership.

Chapter 295 (Zoning) regulates all land use activities in the Village and establishes specific land use classifications, or districts, which govern development and redevelopment actions. This Chapter includes the subdivision regulations, standards for screening and maintenance of landscaping, and the regulations and requirements governing the Village Planning Board and Board of Appeals.

5.2 PROPOSED NEW LOCAL LAWS AND AMENDMENTS TO LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

The following is a description of the proposed amendments to the Village of Hastings-on-Hudson laws and regulations which are necessary to implement this LWRP.

1. LOCAL CONSISTENCY REVIEW LAW

In order to implement this LWRP, and prior to its approval by the Secretary of State, the Village of Hastings-on-Hudson must adopt a local coastal consistency review law for actions that occur within the Village's coastal area. It is recommended that coastal consistency review be incorporated into the Village's current SEQRA review process. To provide information necessary for the consistency evaluation, each applicant involved in a Type I or unlisted action within the Village LWRA would be required to submit a completed Coastal Consistency Assessment Form. See Section 5.5 for more details on the administrative process to be used by the Village to implement this review process.

2. AMENDMENTS TO THE VILLAGE ZONING ORDINANCE

In order to implement this LWRP, and prior to its final approval by the Secretary of State, the Village must amend the Zoning Code to reclassify the 43 acres of land on the waterfront consisting of the ARCO, Mobil-Exxon, and Uhlich Color Company parcels in a manner consistent with the LWRP. A starting point for the rezoning is the text of the unmapped MW-B district, but that text must be changed to reduce the scale of development so as to be consistent with the LWRP, and to prohibit residential uses in the southern portion of the waterfront. The new zoning classification for the site, as amended, will allow a mixture of uses, and will be tied into a series of performance standards and design guidelines providing specific requirements with regard to various aspects of the redevelopment. The performance standards may include, but not necessarily be limited to: site design parameters; dimensional requirements (building height, floor area ratio, lot coverage, setbacks, etc.); and requirements for facades, architectural features, stormwater management, streetscapes, lighting, landscaping, signage, etc. The performance standards shall be consistent with the provisions of Policy 1.4 of this LWRP.

It is intended that the draft generic environmental impact statement (DGEIS) prepared in connection with this LWRP serve as the SEQRA compliance for the related rezoning action.

3. LOCAL EROSION AND SEDIMENT CONTROL LAW

The Village should adopt a local law to establish standards for the control of non-point source pollution from individual development sites, both during construction and after development has been completed. This action is required as part of the stormwater management program specified in the U.S. Environmental Protection Agency (EPA) Final Stormwater Phase II Rule. See Section 4.3.B.

The proposed law should specify that suitable measures must be incorporated into each development project in the Village, so as to minimize the potential for on-site erosion and the off-site transport of sediment and associated contaminants. The regulation of construction projects must cover all properties of one acre or greater in size, consistent with the provisions of the Phase II Rule, although the Village may elect to include smaller sites.

The specific erosion and sediment control measures that would be implemented for any given project would be tailored to the unique characteristics of the development site and nature of the project. However, certain general measures should be applied to all development projects, including those that are listed under Policy 6.3.

4. LOCAL LAW GOVERNING DISCHARGES TO THE VILLAGE'S STORMWATER DRAINAGE SYSTEM

The Village should enact a local law or other suitable regulatory mechanism which specifically prohibits new stormwater discharges into the Village's sanitary sewer system. This proposed law is required as part of the stormwater management program specified in the U.S. Environmental Protection Agency's Final Stormwater Phase II Rule. See Section 4.3.B.

5. POSSIBLE LOCAL WETLAND PRESERVATION LAW

If it is determined, after completion of the recommended survey and cataloguing of the Village's freshwater wetlands (see Section 4.3.D), that these resources warrant a greater level of protection than is afforded under existing State and federal regulations, a local law should be enacted to regulate development and other activities in freshwater wetlands and adjacent areas within the Village. The New York State Freshwater Wetland regulations, as promulgated under 6 NYCRR Parts 663 and 664, can serve as a guide for a local freshwater wetlands law.

6. POSSIBLE LOCAL HISTORIC PRESERVATION LAW

If determined to be feasible and desirable through a recommended investigation, the Village should pursue enactment of a new local law to implement the objectives outlined in Section 4.3.D regarding the preservation of locally important historic resources.

5.3 OTHER PUBLIC AND PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

Establish Implementation Mechanism for Proposed Waterfront Redevelopment

If the Village Board of Trustees endorses the redevelopment proposal that has emerged from the Waterfront Redevelopment planning process, remediation of site contamination is the next major implementation step. The cleanup will provide a period of time during which the Village will have the opportunity to shape an implementation strategy to ensure that future development conforms to the plan which the community favors. The Village should put in place the land use regulations that will guide future development, including the rezoning of the waterfront properties now zoned for industrial use. At the same time, the Village, together with the waterfront property owners, should investigate the options for redevelopment and ultimate ownership.

The standards for the redevelopment of the Village's former industrial waterfront area that have evolved from the community planning process are embodied in Policy 1.4. The three principal implementation steps that will be required to realize this vision are as follows:

1. Remediation

Remedial solutions for ARCO's land were approved, as documented in the March 2004 Record of Decision signed by NYSDEC and the federal consent decree entered into by the Village, Riverkeeper and ARCO, and much of the site has been cleared of buildings and is being prepared for the cleanup. The land portion of ARCO's remediation plan is referred to as OU-1 (Operable Unit Number 1). The Hudson River portion of the ARCO remediation plan is referred to as OU-2 (Operable Unit Number 2). NYSDEC issued a Proposed Remedial Action Plan (PRAP) for OU-2 in October 2003, which called for significant dredging. NYSDEC is considering the public comment received on its OU-2 PRAP, including ARCO's opposition to the dredging proposal, and has not made a final decision on the remedial action to address the PCB-contaminated sediments in the river adjacent to the ARCO site. One source of funds to acquire land on the waterfront is the Trust Fund established by the federal Consent Decree and administered by the Village.

NYSDEC issued a proposed clean-up plan for the Uhlich Color and Exxon/Mobil properties in December, 2005. The Public Hearing was held on January 17, 2006. For purposes of the clean-up plan, NYSDEC has combined these two adjacent properties into one project referred to as the Tappan Terminal site.

The ultimate redevelopment and re-use of the waterfront properties cannot be implemented until the clean-up remedies have been resolved and implemented. Because the major properties on the waterfront are Class 2 Hazardous Waste Sites, funding under the Brownfield Program is not available if the Village takes title to the land.