

Village of Sylvan Beach

Local Waterfront Revitalization Program – **Draft May 2020**



Adopted:

Sylvan Beach Village Board of Trustees, **, 2020

Approved:

NYS Secretary of State, **, 2021

Concurred:

U.S. Office of Coastal Management, **, 2021

This document was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund



Acknowledgments

The development of this LWRP was made possible through efforts of the following:

Village of Sylvan Beach Mayor and Board of Trustees

Gregory R Horan – Mayor, Village of Sylvan Beach

Maureen Campbell – Village Board of Trustees

Joseph Clements – Village Board of Trustees

Mark Daily – Village Board of Trustees

Richard Sullivan – Village Board of Trustees

Village of Sylvan Beach Waterfront Advisory Committee

S. John Campanie – Village Resident

Bob Cheesman – Chair, Village Planning Board

Wanda E Durant – Village Clerk-Treasurer

Lorraine Padavan – Town Council, Town of Vienna

Michael Sayles – Village Administrator

Guy Sassaman – Oneida County Planning Department

Beth Scholl – Village Deputy Clerk-Treasurer

Table of Contents

Section 1 – Local Waterfront Revitalization Boundary	1
Section 2 – Inventory and Analysis.....	4
2.1 Issues and Opportunities	4
2.2 Regional Setting	6
2.3 Community Characteristics and Economic Considerations	7
2.4 Existing Land Use	12
2.5 Zoning Districts.....	16
2.6 Existing Water Use.....	18
2.7 Prior Planning Documents and Land Use Regulations.....	22
2.8 Public Access and Recreation.....	23
2.9 Historic and Cultural Resources.....	27
2.10 Signage and Amenities.....	29
2.11 Scenic Resources	29
2.12 Surface and Groundwater Water Quality	32
2.13 Fish and Wildlife.....	36
2.14 Endangered and Invasive Plants	37
2.15 Erosion and Flooding.....	38
2.16 Infrastructure Resources	39
Section 3 – Local Waterfront Revitalization Program Policies	42
3.1 Development Policies	42
3.2 Fish and Wildlife Policies	52
3.3 Flooding and Erosion Hazards Policies	55
3.4 General Policy	58
3.5 Public Access Policies	59
3.6 Recreation Policies	64
3.7 Historic and Scenic Resources Policies.....	66
3.8 Agricultural Lands Policy	71

3.9 Energy and Ice Management Policies	76
3.10 Water and Air Resources Policies.....	77
3.11 Wetland Policies	83
Section 4 – Proposed Land and Water Uses and Projects.....	84
4.1 Future Land Use.....	84
4.2 Harbor Management and Water Uses.....	84
4.3 Proposed Projects.....	86
Section 5 – Techniques for Local Implementation.....	113
5.1 Existing and Proposed Local Laws and Regulations.....	113
5.2 Other Public and Private Actions Necessary to Implement	115
5.3 Local Management Structure.....	116
5.4 Financial Resources.....	121
Section 6 – State Programs Likely to Affect Implementation.....	123
6.1 State Agencies	123
6.2 State Actions and Programs Necessary to Further the LWRP	139
Section 7 – Local Commitment and Consultation.....	142
7.1 Local Commitment	142
7.2 Consultation	142
Appendix A – Consistency Review.....	143
Local Waterfront Revitalization Consistency Program Review Law.....	143
Waterfront Assessment Form.....	153

Tables

Table 1 Population Change.....	7
Table 2 Average Household Size.....	8
Table 3 Median Household Income 2016	9
Table 4 County Unemployment Rates 2016.....	9
Table 5 Change in Housing Units	10

Figures

Figure 1 Change in Age Cohorts.....	8
Figure 2 Land Use by Number of Parcels	13
Figure 3 Land Use by Acreage.....	15

Section 1: Waterfront Revitalization Area Boundary

1.1 Local Waterfront Revitalization Boundary

The waterfront revitalization area (WRA) covered by the Sylvan Beach LWRP encompasses the entire corporate area of the Village of Sylvan Beach and 1,500 feet into Oneida Lake along the western boundary of the Village. This boundary is illustrated on Map 1.1: Sylvan Beach WRA Boundary. The WRA boundary was determined based on the impact of the upland on the waterways defining the Village boundaries. The WRA boundary encompasses the considerable number of artificial and natural canals and inlets connecting the Village's eastern and southern sides with Fish Creek and the Erie Canal; the three significant clusters of federal and state regulated wetlands located in the central and northern half of the Village; and the first 1,500 feet of Oneida Lake where water-dependent recreational activities connect with upland uses.

Boundary Defined

The boundary of the Sylvan Beach WRA begins at the most northwestern point on the Village of Sylvan Beach municipal boundary with the Town of Vienna, on the shoreline of Oneida Lake;

- Thence it follows the northern border of the Village with the Town of Vienna, along the south side of the right-of-way of McClanathan Avenue/Lakeshore Drive to a point of intersection with Main Street/Route 13;
- Thence continues in a general southeastern direction along the municipal boundary of Sylvan Beach with the Town of Vienna and the south side of the right-of-way of McClanathan Avenue for approximately 410 feet to a point of intersection with the centerline of Pleasant Avenue;
- Thence it continues for approximately 1,726 feet in a southeasterly direction along the municipal boundary and the south side of the right-of-way of McClanathan Avenue to a point of intersection with the east side of the right-of-way of Vienna Street, where it then turns in a southwesterly direction;
- Thence the WRA boundary follows the municipal boundary for approximately 550 feet to a point of intersection with the north side of the right-of-way of Marina Drive where it then turns in a general southeastern direction;
- Thence it continues along the north side of the right-of-way of Marina Drive for approximately 550 feet to a point of intersection with the west side of the right-of-way of Harborview Drive, where it then turns in a northerly direction;

- Thence the WRA boundary follows the west side of the right-of-way of Harborview Drive for approximately 1,723 feet to a point of intersection with the east side of the right-of-way of Vienna Road/Route 54A;
- Thence it continues for approximately 351 feet along the east side of the right-of-way of Vienna Road before turning east and continuing for approximately 1,224 feet along the Village boundary with the Town of Vienna;
- Thence the WRA boundary continues for approximately 896 feet in a southeastern direction along the Village boundary with the Town of Vienna before a point of intersection with the west bank of Fish Creek;
- Thence the WRA boundary continues along the Village boundary and the meandering west bank of Fish Creek for approximately one mile to a point of intersection with the north bank of the Erie Canal;
- Thence the WRA boundary continues for approximately 5,090 feet along the Village boundary and the north bank of the Erie Canal in a general southwestern direction to a point of intersection with the Oneida Lake shoreline;
- Thence the WRA boundary continues 1,500 feet in a general southwestern direction along the pier owned by the Canal Corporation before turning northerly;
- Thence it continues for approximately 1.46 miles in a northerly direction along a line parallel with and 1,500 feet west of the Village boundary;
- Thence it turns east and continues for 1,500 feet along a perpendicular line on the shoreline to the intersection with the boundary's starting point at the Village's most northwestern point.

DRAFT



Map 1.1 - Sylvan Beach Waterfront Revitalization Area Boundary
Village of Sylvan Beach Local Waterfront Revitalization Program

Section 2: Inventory and Analysis

This section provides a comprehensive description and analysis of the current conditions and identifies issues and opportunities that will be the focus of the Sylvan Beach Local Waterfront Revitalization Program.

2.1 Issues and Opportunities

The Village of Sylvan Beach looks to pursue necessary improvements to existing issues related to local waterfront revitalization. The following are some of the most prescient issues facing the Sylvan Beach waterfront:

- The 2,300-foot-long pier owned by the NYS Canal Corporation/NYPA used to be a great local recreational asset. However, for the past decades, its condition has become a recurrent concern among residents and Village officials alike. The pier has experienced heavy deterioration and is no longer safe to be accessed. Additionally, the remains of the pier are often submerged and invisible, which makes its location and shape dangerous for recreational boaters entering and leaving Oneida Lake.
- The mile-long public sand beach has been subject to long-term erosion. Stabilization and replenishment of the beach is important to preserve this asset.
- Erosion of the Fish Creek bank has become a problem. Stabilization measures need to be identified and implemented.
- The Mariner's Landing Marina, owned by the Oneida Indian Nation, is the only marina within the LWRP boundary that is open for public docking and boat fueling. While this provides a place for visiting and local boaters, it is too small to service the supply of recreational summer boaters.
- In public meetings citizens have identified debris and sand as issues with the public beachfront. The Village will seek to better maintain the public realm, particularly the beach and Main Street areas and this is further detailed in Section 4 of this LWRP.

Sylvan Beach also looks to capitalize on several opportunities that will help improve and enhance the waterfront for visitors and residents. The Village has identified the following opportunities to pursue:

- The Village is committed to improving the tourist amenities at the waterfront park, including a welcome center with new restroom facilities. In addition, the Village is pursuing installing a new restroom facility in the vicinity of the canal wall.

- Other low-cost enhancements to the Village’s infrastructure, in particular making the recreation and business core of the Village more welcoming to tourists and other visitors by provision of streetscape improvements and amenities, will serve to improve the quality of tourism experience and hence result in increased tourism and business growth.
- The Village will manage use of its natural assets, in particular the Oneida Lake beach, Fish Creek, and access to the Erie Canal, and will expand their use both by tourists and residents.
- Increasing public access to the beach, particularly where Village streets dead-end at the beachfront and in proximity to the public parking areas is an action that will be undertaken by the Village.
- The Village will preserve surviving elements of its historic resort past, particularly those with economic and tourism-related value such as the Yesterday’s Royal restaurant complex and the historic amusement park.
- The Village’s existing commercial sector has been sluggish and is now growing slowly. Most commercial establishments are predominantly centered on serving summer water-based tourism and seasonal residents. By examining the strengths, weaknesses, opportunities, and threats associated with its business economy, the Village will address three aspects of improving its business climate: maximizing its traditional, seasonal, tourism-based business income; expanding its tourism-based business to its year-round potential; broadening its commercial economy beyond tourism-based business.
- In the past, the absence of public launch facilities was alleviated by other marinas in the immediate environs of the Village but outside its limits. The Village explored the potential for adding publicly-owned facilities in 1997 with funding by the Economic Development Program of the United States Department of Housing and Urban Development. However, funding was not provided to implement the proposal. Village officials and public meetings have identified the development of a marina as a major need. The increase in canal traffic and the boating tourism market, on which the Village relies as an important element of its tourism-based income, serve to underscore this need. A new marina facility will be an important element in attracting the boating public to the Village, enabling it to grow and enhance its potential tourist market. A potential location for new boat dockage facilities lies just to the north of the breakwall.
- Other issues which are important on a longer-term basis are the establishment of trail linkages to other nearby bike-and-hike trails, improvements to Van der Linde Park, development of the Village’s “paper streets”, and the rehabilitation of the half-mile-long pier into Oneida Lake.

2.2 Regional Setting

Sylvan Beach is an incorporated village located at the southeastern extremity of the Town of Vienna, in Oneida County. Its southern and eastern boundaries along the Erie Canal and Fish Creek are shared with the Town of Verona. New York State Route 13 constitutes Main Street, the north-south main artery of the Village's road system. It lies ten miles west of the City of Rome, an equal distance north of the City of Oneida, about 25 miles west of the City of Utica, and about 45 miles slightly north of east of the City of Syracuse. It is within a day's journey of many of the major metropolises of the northeastern United States and eastern Canada.

Equally importantly, the Village lies along the eastern shore of Oneida Lake in an angle formed by the inflow of Fish Creek and Wood Creek and the terminus of the eastern portion of the Erie Canal section of the New York State Barge Canal, the route of which passes across Oneida Lake before resuming normal canal and channelized-stream status. It lies between the waterfront hamlets of Edgewater Beach, to the north, and Verona Beach, to the south.

Sylvan Beach's key regional assets are its proximity to population centers and its position athwart two major waterways. These two elements historically went together to make Sylvan Beach a summer resort destination. However, changes in American lifestyles and vacation habits have modified these aspects of the Village's traditional role into a "day trip" location, although a large number of summer cottages remain in the Village. The soon to open Lake House at Sylvan Beach, a casino and dining facility operated by the Oneida Indian Nation, is expected to become a large tourist attraction.

Oneida Lake is arguably the prime recreational outlet for Central New York. It is the largest lake completely within New York State, and is commonly used for boating, swimming, and fishing.

The Erie Canal, as rebuilt to be part of the Barge Canal System, passes along the southern edge of the Village, and includes recently renovated docking facilities which are owned by the New York State Canal Corporation in Sylvan Beach. New York State has been implementing elements of its Canal Recreationway Plan (1995) aimed at revitalizing the Canal and its surroundings. Its goals are to preserve and rehabilitate canal infrastructure, enhance recreational opportunities for water-based and land-based users, and to promote and foster economic development throughout the canal corridor. The canal system has been in continuous operation since 1825, longer than any other manmade transportation system on the continent. Madison County was recently awarded a 1.5 million dollar state grant to improve the canal waterfront in the Village of Canastota. That project may have a spinoff effect of boosting tourism in Sylvan Beach.

In terms of the state's tourism promotion areas, the Village lies within the Central-Leatherstocking Region, whose recent marketing focus has been on the Erie Canal. As the western terminus of the portion of the Canal running through the region, Sylvan Beach has been noted in their publicity and promotion work.

Tourism sites within a short distance of Sylvan Beach might also be noted for their potential in coordinated tourism promotion. The following attractions are within 15 miles of the Village:

- Turning Stone Casino and Hotel, Verona, NY, an Oneida Indian-owned major destination,
- Verona Beach State Park, Verona, NY,
- Vernon Downs, a historic harness-racing track in Vernon, NY,
- Fort Stanwix National Monument, Rome, NY,
- Old Erie Canal State Park, a lineal series of preserved segments of the pre-1918 Erie Canal, located from south of Rome westerly along the old canal route,
- Erie Canal Village, Rome, NY,
- Fort Rickey Game Farm, Rome, NY,
- Boxing Hall of Fame, Canastota, NY.

2.3 Community Characteristics and Economic Considerations

The Village of Sylvan Beach is characterized by a tourism-based economy and a seasonal population base. There are approximately 897 year-round residents (2010 Census), but summers find a five-fold increase to a seasonal population of approximately 5,000. The year-round population decreased significantly between 2000 and 2010 (around 16 percent). During that period, the populations of the Town of Vienna and Oneida County also decreased (the County very slightly). New York State grew slightly.

Average household size is also shrinking in the Village, a trend that is mirrored in the Town of Vienna, Oneida County and New York State. This is a nationwide trend that is the result of decreasing family sizes. Sylvan Beach's average household size is noticeably lower than that of the County and State. The table below shows the trends for average household size (for owner-occupied units) from 2013 to 2016.

Table 1. Population Change 2000 - 2016

	2000	2010	2016 (estimate)	Change from 2000 to 2016
Sylvan Beach	1,071	897	754	-29.5%
Vienna	5,819	5,440	5,471	-5.9%
Oneida County	235,469	234,878	232,858	-1.1%
NYS	18,976,457	19,378,102	19,697,457	+3.6%

Source: US Census Bureau

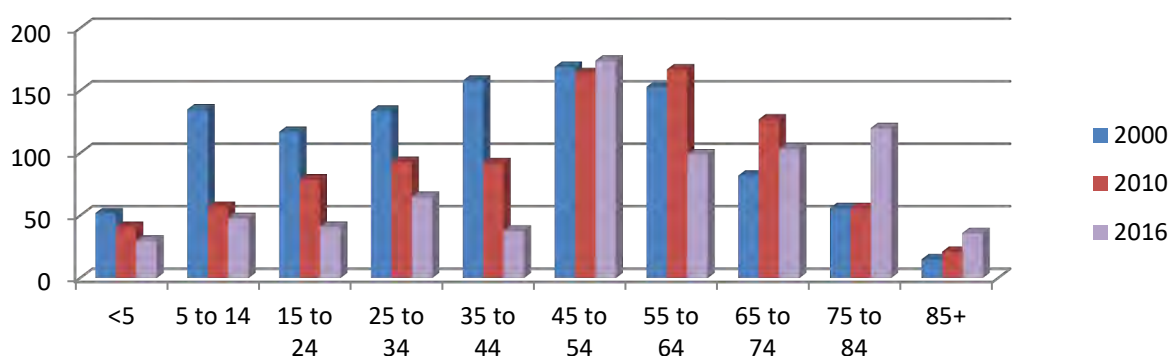
Table 2. Average Household Size 2013 - 2016

	2013	2014	2015	2016
Sylvan Beach	2.09	2.16	2.04	2.02
Vienna	2.41	2.29	2.23	2.46
Oneida County	2.53	2.52	2.53	2.53
NYS	2.76	2.76	2.77	2.77

Source: US Census Bureau

Sylvan Beach's population is estimated to have aged dramatically between 2000 and 2016, with the median age increasing from 41.3 to 53.9. This figure is considerably higher than the County at 40.8 and the State at 38.0. Figure 1 shows the change in ten year age groups for the Village during the same period. Every age group under 55 decreased while every age group over 55 increased or remained the same. This data suggests that Sylvan Beach has an increasing lack of families with young children. Like many other communities and areas with declining and aging population, the Village may face increased unemployment due to closing of local and nearby businesses, an increase in vacant properties and potential loss of historic structures that require additional maintenance and investment, difficulty keeping local businesses or enticing other businesses to locate nearby, and an increased demand for social services.

Figure 1. Change in Age Cohorts 2000 - 2016

*Source: US Census Bureau*

Median household income in Sylvan Beach was reported at \$40,063 in the 2016 American Community Survey. This was slightly lower than the surrounding Town of Vienna and noticeably lower than that in Oneida County and New York State.

Many year-round residents are involved in the service businesses which support the tourism industry. Some are self-employed (in non-tourism businesses) or retired. Other residents commute to employment in nearby Rome, Syracuse, Utica, Verona, and Oneida. Commutes to distant employment centers require a greater percentage of the family budget to be spent on transportation and reduce take-home pay. This trend particularly impacts low-income families. Based on the US Census Data of 2010, approximately 70% of the local workforce commuted less than 30 minutes to work, while the rest had a much longer daily commute to work. Estimates for 2016 show an increase by 15% in the proportion of people commuting to work for more than 30 minutes.

The 2017 American Community Survey 5-year estimate shows that over 85% of Sylvan Beach residents over 25 years old have a high school diploma or a more advanced education. In the current dynamic economy and job market, education is becoming more and more important and tends to reflect people's ability to learn new skills and adapt to a larger range of jobs. This trend also tends to push highly educated people into jobs that would normally require a lower degree of education.

A comparison of 2016 unemployment rates for Oneida County with the counties surrounding it reveals that Oneida County has one of the lower rates, at 4.8%. Lewis County, to the north, had the highest at 6.7%

Table 3. Median Household Income 2016

	Income
Sylvan Beach	\$40,063
Vienna	\$44,934
Oneida County	\$49,838
NYS	\$60,741

Source: US Census Bureau

Table 4. County Unemployment Rates 2016

	Rate
Herkimer County	5.5%
Lewis County	6.7%
Madison County	5.2%
Oneida County	4.8%
Oswego County	6.4%
Otsego County	4.9%

Source: NYS Department of Labor

The Village saw a net decrease in housing units from 847 to 830 between 2000 and 2010, but has bounced back in recent years. The Village has an estimated 857 total housing units, as of 2016. The Town of Vienna and Oneida County both saw a modest increase in housing units from 2000 to 2010 before slightly declining in the years since 2010. According to the Census data, these residential units are broken down into 447 occupied, year-round units, 318 seasonal units, and 65 vacant units. Older houses in traditional styles tend to be concentrated in the northwest of the Village, between Route 13 and the Oneida Lake shore, while large newer homes are along and near Fish Creek in the east of the Village. A mix of site-built and manufactured housing, much of it of modest size and value, lies in the middle area of the Village between Route 13 and Oneida Road.

Table 5. Change in Housing Units 2000 - 2016

	2000	2010	2016 (estimate)
Sylvan Beach	847	830	857
Vienna	3,037	3,123	3,101
Oneida County	102,803	104,180	103,958
NYS	7,679,307	8,108,103	8,191,568

Source: US Census Bureau

The Village has seen an uptick in construction since 2016, with at least six new houses built, a 24 unit town house complex under construction, a new Dollar General store built, and a casino/restaurant complex under construction.

Business Development and Diversification

The commercial element of the Village is largely directed towards sales to tourists and other seasonal visitors, as one might expect. This produces a quite unusual array, with some business categories well represented and some entirely absent.

Commercial lodging facilities within the Village include several recreational vehicle (RV) parks and several cottage-rental operations. There are waterfront campgrounds and motel operations within the village. There are also a few motels and other commercial lodging facilities in the area surrounding the village. Food-service establishments provide a variety of dining options, with seafood a prominent cuisine. Some of these have an attached bar and provide a “night life” element to the Village’s attractions. The Village was recently awarded a \$500,000 grant to help restore the iconic Yesterday’s Royale restaurant building.

Surprisingly, there are few businesses offering water sports or beach equipment, bait and tackle for fishermen, or boat/canoe/kayak rental, and no bicycle rental operations.

The Village has no pharmacy, although these can be found in the Villages of Camden and Canastota. The only groceries available in the village are at a recently opened convenience store (Nice n Easy). There are numerous small shops catering to various aspects of the tourist trade. The amusement park is located in the south of the Village, near the beach area and several restaurants.

An economic assessment of desirable goods and services and the potential market for them is needed. Conducting such a study is among the projects identified in Section IV.

The Village borrowed funds underwritten by a HUD program established in 1998 to create a revolving loan fund aimed at improving economic conditions in the Village, with particular emphasis on job creation. Two loans made using these funds brought the Village a new restaurant/motel complex and the convenience store mentioned above. It appears that unused loan funds from the HUD program are no longer available. However, the Village has requested that the funds be restored for other economic development purposes.

Police, Emergency Services, and Education

The Village has no police force, as the New York State Police maintain a station on NYS Route 13 in the heart of the Village, and function in most police capacities in the Village, including patrol and traffic control during major events, and foot and bicycle patrols on summer weekend events. The Village is also served by the Oneida County Sheriff's Department, who provide extra security during the summer season by contract.

The Sylvan Beach Volunteer Fire Department provides fire protection services, and several area ambulance services handle emergency medical response. The fire department is located on Route 13 in the Village. The Fire Department has recently acquired land adjacent to its present facility in order to construct a new facility in the near future. The present building cannot accommodate the growing size of fire trucks and other equipment. The Fire Department serves a fire district including parts of the Towns of Vienna and Verona as well as the Village. Estimates of service are six to ten structure fires and over 400 emergency medical service calls per year. The ambulance services respond simultaneously to both sorts of call. The Fire Department has 58 volunteers, nearly all of whom are Village residents. Fire equipment includes a 1976 Mini Pumper, a 2014 Suburban, a 2001 E-One Engine, a 2010 Peirce Rescue Pumper, an ATV, a Rivercraft Airboat, and a 25' Kencraft Rescue Boat.

In addition to normal land-based response, the Fire Department has specifically trained personnel for ice and swift water rescue that have been deployed throughout New York State. The 25' rescue boat operates out of Snug Harbor Marina.

There are no schools in the Village, which is divided between the Camden and Oneida School Districts along a line between 16th and 18th Avenues west of Route 13 and along 21st Avenue east of Route 13. Elementary students south of this line attend the Durhamville Elementary School, with middle

school students transported to Wampsville and high school students to Oneida. Elementary students north of the line attend McConnellsville Elementary School, and Camden Middle and High Schools.

2.4 Existing Land Use

The collection of natural, recreational, commercial, ecological, cultural, and aesthetic resources in the community defines its character; and the distribution of developed and open lands establishes a pattern of human use that reflects a historic choice between economic development and preservation of waterfront resources.

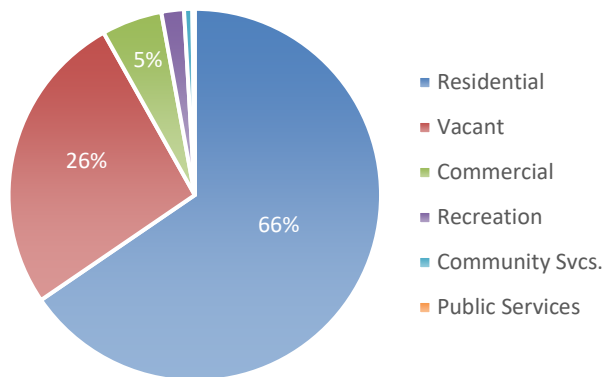
There are several opportunities within the Village to establish and expand commercial and recreational industries to support the local residents and seasonal transient population. Development, public investment, and regulatory decisions should preserve physical and visual waterfront access and sustain the Village of Sylvan Beach as a center of activity and economic revitalization for residents and tourists. There is a noticeable dichotomy between the tourist-resort facet of the Village on the one hand, most noticeable along Route 13, the Oneida Lake shoreline and in the southern part of the Village and, on the other, the quiet, often water-based residential community lying inland from Route 13 and along Fish Creek.

Figures 2 and 3 depict the breakdown of current assessed land uses in the Village by number of parcels and acreage, respectively. The top three land uses by number are residential, vacant, and commercial. The top three by acreage are also residential, vacant, and commercial.

Residential uses encompass single family year-round, two family year-round, three family year-round, apartments, seasonal homes, manufactured homes, manufactured home parks, and multi-use/multi-structure.

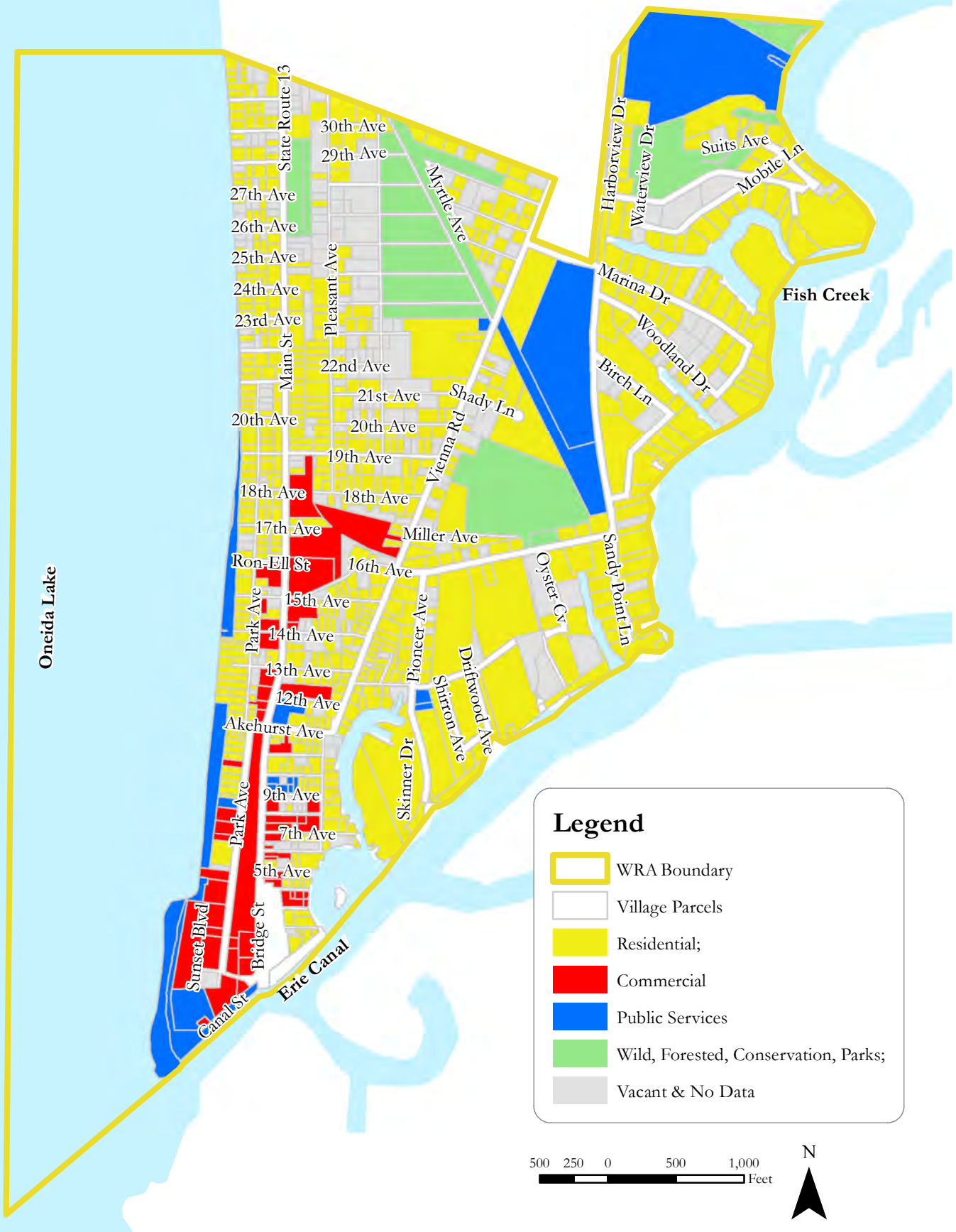
Year-round residential lots constitute the most prevalent use in the Village. Seasonal units are largely occupied only during the summer months by households with permanent residences elsewhere. Many seasonal properties are concentrated west of Route 13 in the northwest portion of the Village between that highway and Oneida Lake. Apartment units are concentrated in the business district of the Village. Manufactured homes are scattered throughout the Village and include a concentration in the north central and northeast areas. The manufactured home parks are large parcels under single ownership renting individual small lots to owners or renters of manufactured housing. These are located along Fish Creek in the southeast and northeast of the Village. Many upscale homes near Fish Creek in the northeast of the Village have water access through short ripped canals.

Figure 2. Land Use by Number of Parcels 2017



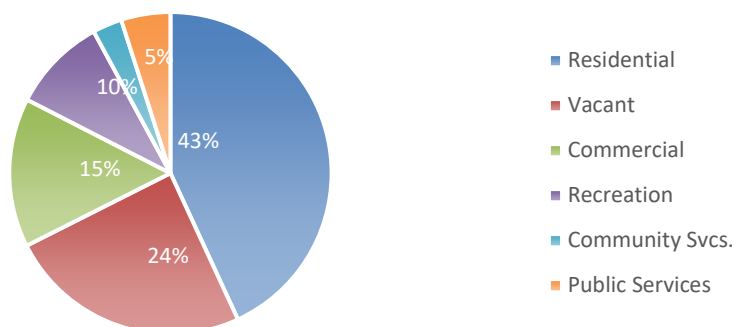
Source: Oneida County Real Property Tax Dept.

DRAFT



Map 2.1 - Sylvan Beach Existing Land Use
Village of Sylvan Beach Local Waterfront Revitalization Program

Figure 3. Land Use by Acreage 2017



Source: Oneida County Real Property Tax Dept.

Commercial land uses make up 15% of the acreage within the Village boundary and include motels, small shops, offices, and a bank located along Route 13 and adjacent to the Oneida Lake waterfront. Seasonal campgrounds, cottage rental operations, an amusement park, and a miniature golf course cater to tourists. Restaurants are clustered along Route 13 and in the southern section of the Village. Most of these uses cater largely to tourists and summer resort-users.

Parking lots are located in the business areas and include lots owned by adjacent businesses and made available for their customers, as well as a large municipal lot adjacent to Oneida Lake. Though only comprising about eight acres in total, they constitute a significant resource to the commercial element of the Village's land use.

Community service land uses include the village hall, the post office, church, the American Legion post, the State Police station and the fire department. Though located throughout the Village, most of these uses are concentrated in the resort district along Oneida Lake and in the south of the Village. The Village's sewage treatment plant is located on a large lot on the northern edge of the Village.

Community open space in Sylvan Beach occupies an unusually large portion of the Village. It includes the Oneida Lake sand beach, open land along the Erie Canal, Spencer Park (just off Route 13), VanDerlinde Park on the east side of the Village and land adjacent to the Village Hall.

2.5 Zoning Districts

The Village is divided into four zoning districts and all of these districts fall within the WRA boundary. They are described as follows:

CR – Commercial Resort

The Commercial Resort District is intended to preserve an area within the Village for a full range of commercial businesses that support the local economy. The district is intended to maximize the economic development potential by encouraging infill, reuse and expansion of resort-related businesses. Development is intended to promote an attractive appearance and to be compatible with adjacent residential and commercial uses.

PL – Public Lands

The Public Lands District preserves and enhances the Village's public lands and recreational areas by protecting natural amenities and ensuring governmental or civic facilities are properly located, site designed, and compatible with adjacent development. Public Lands Districts are intended to apply to all publicly owned parks, recreational areas, natural wildlife areas, and waterfront.

R – Single-Family Residential

The Single-Family Residential District is intended primarily for single-family residential development in the form of detached dwellings. The purpose is to create a safe haven for people to live and conduct their domestic activities. A degree of privacy is expected, especially in the house and the rear yards.

VC – Village Center

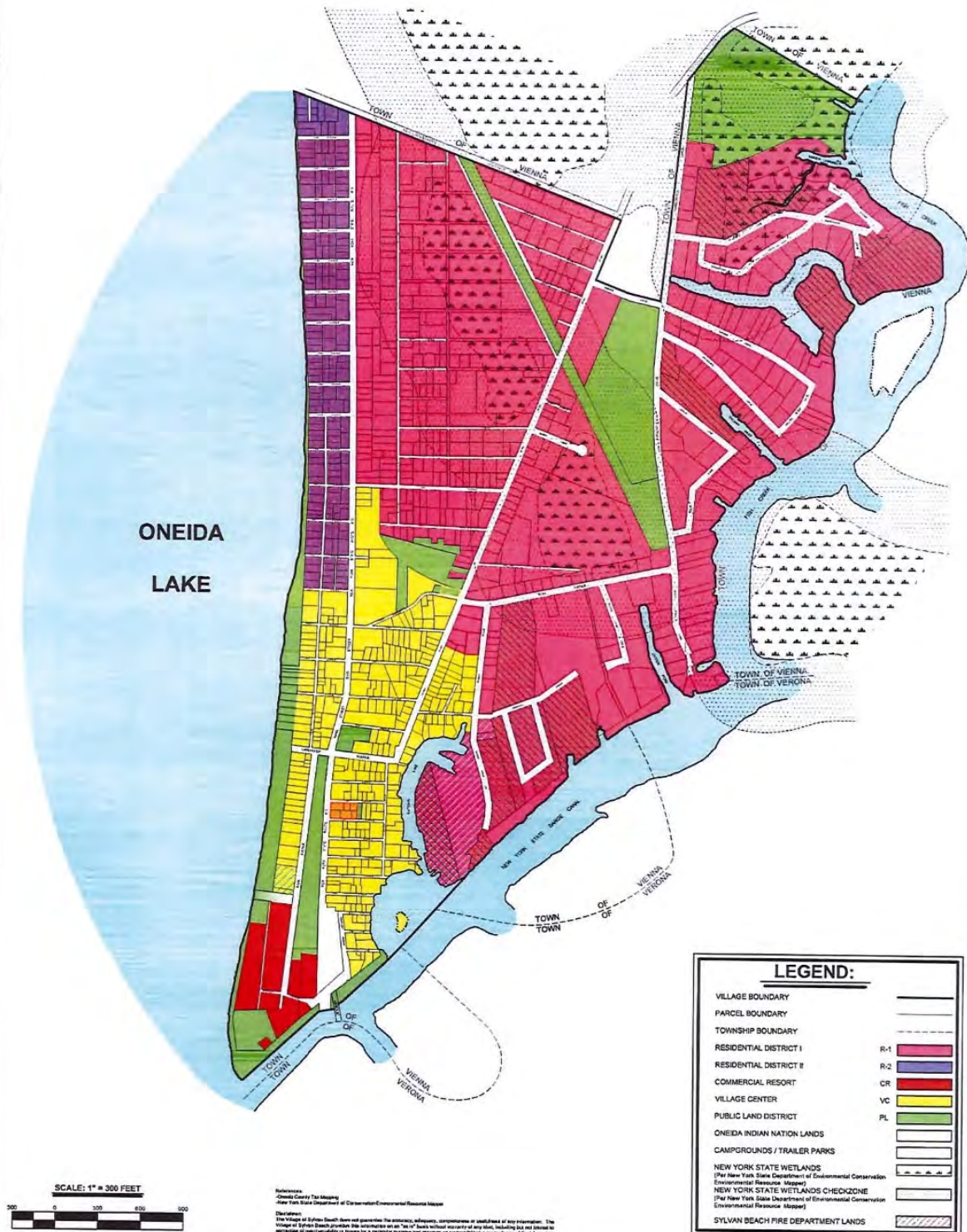
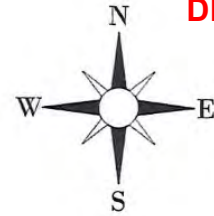
The Village Center District is the cultural and commercial hub of the community and is intended to provide for a diverse and vibrant mixture of resort-oriented commercial and residential development. This district is intended to maximize the economic development potential with infill, reuse and expansion, and by protecting and enhancing a mixture of uses. Residential uses are intended on upper floors. Active uses are intended at street level in order to provide an interesting streetscape for pedestrians. Buildings should face the sidewalks and maintain a sense of scale so that they provide visual interest and create safe, inviting and enjoyable pedestrian spaces. Parking is intended to be available behind, within, or to the side of structures.

VILLAGE OF SYLVAN BEACH

Oneida County, New York
ZONING MAP

Proposed October 15, 2019

DRAFT



Map 2.2 - Sylvan Beach Existing Zoning
Village of Sylvan Beach Local Waterfront Revitalization Program

2.6 Existing Water Use

The Village's water resources are extensive. Oneida Lake is heavily used recreationally, with boating, fishing, and swimming throughout the summer months. Ice fishing and snowmobiling are fairly common at the west end of the lake in the winter, as well. Specific water uses are detailed below. The numbering for these water uses corresponds to the numbering on Map 2.3 Sylvan Beach Existing Water Use.

1. Sand Beach

An extensive public beach along the Oneida Lake waterfront represents a major and valuable resource. The existing public beach extends north from the edge of Sunset Park to Akehurst Avenue. The beach has been subject to long-term erosion problems. The beach does allow swimming, although this area is no longer supervised by lifeguards. In Chapter 15 of the Village of Sylvan Beach Municipal Code, boats and all other watercrafts are not permitted within 1,500 feet of the public beach within the Village limits. Boats are not permitted to moor within this 1,500-foot limit. This regulation does not distinguish between motorized and non-motorized watercrafts.

2. Sunset Park

The Village owns and maintains Sunset Park, which is located on the waterfront south of the public beachfront on the western edge of the Village. The 3.6-acre park currently has a bathhouse, picnic areas, a pedestrian sidewalk trail along the water, park benches, lighting, and two bocce courts.

3. Mariner's Landing Marina

There is one small commercial marina, Mariner's Landing, located within the WRA. This marina is mainly used for docking and fueling. The marina is located on a 5-acre parcel that is owned by the Oneida Indian Nation and has waterfront access to the canal. Mariner's Landing is a full-service marina including a coin-operated pump-out, over 100 boat slips, and covered docks available for both seasonal and transient mooring.

4. Canal

The New York State Canal System includes both the Erie Canal, which constitutes the Village's south and southeast boundary, and Oneida Lake. The system is overseen and administered by the NYS Canal Corporation. The Canal Corporation owns the canal wall, although the Village has jurisdiction over the land adjacent to it. The Canal Corporation regulates and maintains water use, navigation, and docking on the Canal. The canal's original (1918) intended use for heavy transportation by barge is no longer a major factor, but statewide efforts, under the guidance of the Canal Recreationway Plan, to revitalize the Canal for recreational and tourism purposes are beginning to have a significant impact on the Village's economy. The Village needs to focus on cooperative efforts to increase this recreational traffic.

The Erie Canal is periodically dredged by the New York State Canal Corporation. The Village intends to consult with the NYS Canal Corporation to determine if such dredging can be undertaken. The Erie Canal adjacent to the Village's downtown area has been channelized by dredging and by construction of NYS Canal Corporation walls topped by a paved walkway with some thirty boat tie-ups, though no ancillary boater facilities such as restrooms, pump-outs and electrical connections are present. Northeast of downtown the Canal is edged by normal streamside banks. At the point where the north wall of the Canal enters Oneida Lake, the NYS Canal Corporation owns a 2,300-foot-long pier, now in a severely deteriorated state and posted against trespassing, that extends into the lake in a southwesterly direction. At the end of the pier an equally decrepit rubblewall breakwater extends 850 feet westerly. These structures are documented extreme hazards to navigation. Reconstruction of the pier and breakwater has been proposed by the NYS Canal Corporation and the U.S. Army Corps of Engineers; these proposals are discussed in Section 4.

There is a small island in the canal, owned by the Canal Corporation, that could potentially be cleaned up and developed into a marina.

5. National Lake

A large embayment adjacent to Fish Creek where it empties into the Erie Canal is known as "National Lake."

6. Fish Creek

Fish Creek, which constitutes the majority of the eastern boundary of the Village, is by comparison a minor resource, but one that should not be disregarded. The extensive waterfront lots along it and its natural and artificial embayments have served to draw significant new residential construction in both high and low market value sectors. Fish Creek also has a quite large watershed area in the towns north of the Village, which is a significant component of statewide water resources. The interrelationships between land and water uses in those towns, land and water uses in the Village, and the state's water resource interests, constitute a topic which requires being addressed regionally on a long-term basis. Present usage of Fish Creek for recreational and fishing purposes by all but the smallest of boats has been impeded by sedimentation and flood-borne debris. Dredging is required to solve this problem. The residential development of the Fish Creek shoreline has also resulted in a reduction of visual access to that stream.

There are several areas with private docking slips inside the WRA. While not available for public docking or fueling, these slips do provide benefits to Sylvan Beach residents through access to both Fish Creek and the Erie Canal.

Fish Creek experiences flooding issues on an almost yearly basis. The creek carries heavy spring runoff from its watershed. Efforts to improve flood management and mitigation strategies and practices will continue to increase. Dredging may help to alleviate this issue as

well. This will likely require cooperation with regional, Federal, and State entities including the Canal Corporation because they track and manage water levels on both the Erie Canal and Oneida Lake.

Privately Owned Docks

The Village will investigate whether there is a need for any or all of the following:

- Development guidelines for shorefront construction aimed at preserving a pleasant visual impact.
- Stream protection and management zones (in cooperation with NYS Department of Environmental Conservation (DEC)).
- Dredging and bank restoration along all or part of the Village's section of Fish Creek.

DRAFT



Map 2.3 - Sylvan Beach Existing Water Uses
Village of Sylvan Beach Local Waterfront Revitalization Program

Local uses dependent on waterfront access include the numerous uses to which the Erie Canal access is put (described in appropriate sections), and the five marinas in and near the Village. Marinas include Mariner's Landing (the only marina within the village boundary – 112 slips), Snug Harbor (172 slips), Marion Manor (75 slips), Oneida Lake Marina (100 slips), and Callahan's Marina (120 slips). With only 30 slips available at the Canal wall, there is a serious shortfall in available transient boat slips, especially for larger boats. Numerous local businesses are in the “water-enhanced” category, benefiting greatly from their waterfront or near-water location, such as waterfront restaurants and rental cottages, and all local businesses benefit greatly by the water-related tourism that underpins the Village economy.

The Village of Sylvan Beach will maintain its identity as a water-based tourism resort, by encouraging activities such as recreational boating and fishing, and by providing docking facilities for transient boaters. The Village anticipated additional use of its waterfront, with ancillary economic benefits for Village businesses. Sylvan Beach can manage the various issues that result from such redevelopment and use of its waters through preparation and implementation of its Local Waterfront Revitalization Program.

2.7 Prior Planning Documents and Land Use Regulations

Regional studies that address Sylvan Beach and its water resources include:

NYS Open Space Conservation Plan, 2016

Oneida Lake Watershed Management Plan, 2004

Fisheries and Limnology of Oneida Lake, 2014

Erie Canal National Heritage Corridor, established in 2001

Oneida County Flood Insurance Study, 2013

Oneida County Hazard Mitigation Plan, 2013

Comprehensive Plan

The Village adopted its current comprehensive plan in 2001. It was written by SUNY Environmental Science and Forestry (ESF) students as part of a graduate level project.

Zoning and Subdivision Laws

The Village has a zoning law and subdivision regulations in place. While they address the Village's special concerns as a tourism center to a certain extent, they are largely written to address residential and commercial uses and appropriate setbacks and lot sizes. For example, the law does not directly address waterfront access, and regulations regarding visual impact relate to traffic rather than to visual access to the waterfront. A more thorough analysis of the Village of Sylvan Beach's land use regulations as they relate to waterfront revitalization may be found in Section V.

Beach Law

On June 6, 2005, the Village adopted a complete revision of its Beach Law, which restricts unsafe boating offshore from the public sand beach, and regulates activities on the beach, such as banning the use of alcohol and similar regulations aimed at making the beach “family-friendly.”

The Village is undertaking to revise these to more closely implement its revitalization policies and state waterfront concerns which relate to land use. (See Section III for the Village’s Waterfront Revitalization Policies, Section VI for state policies and regulations impacting the Village’s waterfront revitalization policies, and Section V for an analysis of needed modifications of the Village’s land use regulations.)

2.8 Public Access and Recreation

The Village of Sylvan Beach has remarkable present and potential water-based recreational resources. About 65% of the Village limits comprise water boundaries, including the Oneida Lake shoreline on the west, the Erie Canal and Wood Creek to the south and southeast, and Fish Creek to the east. Much of the information in this section is derived from “A Tourism Assessment for Sylvan Beach, New York” prepared by a team from the State University of New York College of Environmental Science and Forestry in 1991.

Almost all of the Oneida Lake shoreline of the Village is a public sand beach with a shallow slope providing beachfront access unparalleled in all of Central New York. At the south end of the shore, adjacent to the outlet of the Erie Canal into Oneida Lake, is a half-mile-long pier owned by the NYS Canal Corporation, once used for fishing and for visual access to the lake, but now posted against trespassing due to its decayed state. This pier was formerly a major tourist attraction. Offshore from the beach in Oneida Lake, fishermen and recreational boaters gather in summer months. A hundred-foot strip at the south end of the beach is a designated swimming area, with lifeguards on duty during the summer season, and a public bathhouse adjacent to the beach.

Sylvan Beach Pier

At public meetings held in relation to the writing and adoption of the 2001 Comprehensive Plan and the LWRP, Village residents spoke out in favor of rehabilitating the pier, in order to restore its former functions of providing docking, fishing, and visual access to Oneida Lake.

Public Beach and Pedestrian Beach Access

Presently, access to this public beach is predominantly gained from its southerly end, adjacent to the amusement park and the municipal parking lot. The Village of Sylvan Beach Comprehensive Plan identifies several locations where Village streets dead-end abutting on the beachfront and can be developed to improve public access. Improved access would be beneficial in the areas south of Ron Ell Street. Such development will principally consist of signage and the planning of attractive entranceways from those streets to the beach. Appearance and maintenance of such additional beach

access points is important in expanding public access to the beach and will enhance visual access as well. Two such beach access points, at Akehurst Avenue and 15th Avenue, have been developed using TEA-21 funding.

Beach Retaining Wall

The retaining wall behind the beach north of the parking area, and separating the beach from properties fronting on it, is considered by some to be unattractive. The seawall has been constructed by over thirty individual property owners resulting in more than thirty distinct retaining wall segments, each privately owned and maintained. This condition presents an inconsistent appearance with varying visual and structural quality. Parts of the retaining wall are presentable, and parts are in a dilapidated condition. The poor condition of the retaining wall results in a negative image of the beach to tourists and residents, with probable loss of tourism dollars. Reconstruction of the retaining wall is one important aspect to the revitalization of the tourism industry. Discussions of reconstruction of the retaining wall have resulted in proposals for the addition of a boardwalk with appropriate lighting and other amenities, brought up by citizens at public meetings.

Beach Erosion

As noted above, long-term erosion of the sand beach is a major concern. Estimates by residents and environmental scientists suggest that the beach was over twice as wide forty years ago. Significant longshore drift has reduced the width of much of the beach area, as have the effects of ice movement during the winter. Beach replenishment, in cooperation with the NYS DEC and the Canal Corporation, perhaps with sand dredged from the Erie Canal, and suitable retaining wall reconstruction to minimize long-term erosion, are high on residents' lists of municipal areas of concern.

DRAFT



Map 2.4 - Sylvan Beach Public Access and Recreation
Village of Sylvan Beach Local Waterfront Revitalization Program

Boat Access and Docking

The Erie Canal provides fishing and boating access, and Fish Creek is regularly used for fishing, which is regarded as excellent. There is, however, little public land access to Fish Creek, with the bank largely in private hands. The creek constitutes a valuable resource nonetheless, as property values for the creekside land are fairly high, owing to the owners having on-site boating access to Fish Creek and hence to the Erie Canal and Oneida Lake.

Docking facilities for boats constitute the major shortfall in water-based recreational resources for the Village. There are two private-sector public marina facilities, located on Fish Creek away from the main highway, which are run as adjuncts to campgrounds. Most of their docking facilities (including approximately 390 slips) are rented seasonally, providing only limited access for transient boaters, and while the marinas provide docking and refueling, they do not have amenities such as restrooms and showers available for the transient user. Their road access and facilities are not well-suited to larger boats.

While docking for thirty boats is available along the north wall of the Erie Canal on a first-come-first-served basis, canal usage sometimes makes such docking difficult. Owing to the canal wall structure, land access to and from smaller boats can be difficult. The 2001 tourism study noted that many boats anchor in the shallow water off the Oneida Lake sand beach and the boaters wade into shore.

Canoe and Kayak Access

Canoes and kayaks are also common watercraft in Sylvan Beach and its environs. The need for additional boat docking and launching facilities remains a concern. Publicly-owned access is limited to a single unmarked carry-in/carry-out launch site off Vienna Road. The marinas offer private-sector facilities for launching smaller boats.

Watercraft Rules and Regulations

Enforcement of watercraft rules and regulations is carried out through the New York State Police, the Oneida County Sheriff's Department, the Madison County Sheriff's Department, and the New York State Park Police. The Village plans to monitor waterfront activities to assure that enforcement continues at an adequate level.

Management Plan for Lake Closures

The Village Board will advocate with the Oneida Lake Association regarding the creation of a management plan for dealing with lake closures due to pollution influxes to Oneida Lake from surrounding communities. This may include intermunicipal agreements between Oneida Lake communities, including the Village of Sylvan Beach, and with New York State. The New York State Canal Corporation regulates navigation along the Canal.

Fishing or Boating Tours

An element of HUD's Canal Corridor Initiative that was not implemented was the development of fishing or boating tours along the Canal Corridor, including the Village of Sylvan Beach and Oneida Lake. The Village will investigate the potential for the development of such tours on a local basis, as opportunity may present, and could include dinner cruises and sightseeing.

2.9 Historic and Cultural Resources

Though the Village of Sylvan Beach has a rich resort history, the ongoing development of new tourism-based businesses and related activities has left it with scant historic structures. A few of the old structures have been adapted to modern use, such as the former hotel now housing a restaurant complex (Yesterday's Royal) which has preserved the historic exterior and interior of the structure. The Village has been awarded grant money for improvements to Yesterday's Royale. Many of the older houses are intact representatives of significant architectural styles, notably the Queen Anne Style, though renovation has generally taken place.

One exception to the lack of historic structures is the Union Chapel which fronts the public beach. The Union Chapel is an interdenominational church built in 1887 on land donated by the Spencer family. It is open only during the tourism season and the sides open up creating an almost outdoor service. The Union Chapel is on the State and National Registers of Historic Places.

The Village of Sylvan Beach plans to explore facilitating the preservation of significant remaining structures through the State Historic Preservation Office (SHPO). This is appropriately done after conducting an inventory of such structures in accordance with the policies of SHPO, which regularly has funding available for the purpose. A project to produce such an inventory is part of Section IV. In connection with historic resources, the Village wishes to place on public record its interest in preserving the amusement park located between the southern extremity of the Oneida Lake beach and N.Y. Route 13, which is the oldest operating amusement park in New York State.

In 1977, prior to construction of the Village's sanitary sewer system, a comprehensive and complete cultural resource survey was conducted. No evidence of artifacts or significant archeological resources were discovered. In 2010, prior to construction of an 8,000 linear-foot federally funded sidewalk project, another cultural resource study was conducted. The results of the 2010 survey confirmed the findings of the 1977 survey. It appears very unlikely that significant archeological resources are present in Sylvan Beach. The Village will continue to conduct cultural resource surveys as appropriate for any project that may require it and will prohibit appropriation of any object of archaeological or paleontological interest situated on or under lands owned by New York State, except as provided for in Education Law, § 233.

DRAFT



Map 2.5 - Sylvan Beach Historic and Cultural Resources
Village of Sylvan Beach Local Waterfront Revitalization Program

2.10 Signage and Amenities

The Village of Sylvan Beach is aware of the importance of tourism and the need to welcome visitors. The Village has welcoming signs and significant directional signage in place. Recent grant applications and other proposed projects have included informational kiosks as integral elements of the projects proposed. An integrated and consistent signage policy is under consideration by the Village.

The bathhouse at the swimming beach at the southerly end of the Village's Oneida Lake shoreline is in need of replacement. A new 4,000 square foot facility combined with a welcome center has been planned and designed (see illus.). A new restroom facility was added in 2003, located in the downtown area of the Village directly across Route 13 from the Village Park at the corner of Vienna and Main Streets (known as Carrello's Corner). The Village could still benefit from the development of more restroom facilities, particularly along the Canal Dock.

Efforts to improve visual aesthetics and public comfort in the tourist-frequented areas of the Village include installation of trash receptacles, benches, brick paver-style crosswalks and sidewalks, street trees, and bicycle racks.

Visitors arriving at Sylvan Beach need to be oriented to the Village and what it has to offer. This may be accomplished through development of informational kiosks and/or tourist maps. A caricature type map and informational kiosks are currently in the planning stages. The Village will identify points along the waterfront and in the Village proper where placement of additional kiosks will accomplish the goals of highlighting the Village's historic, cultural, recreational, and natural attractions. It is anticipated that placement of such kiosks will result in a greater appreciation of the Village's assets, resulting in an increase in visitor usage and a more stable economy. The Village will address and prioritize locations where such kiosks seem most needed and obtain funding for their construction and maintenance, through the New York State Coastal Resources Interpretive Program grants (NYSCRIPs).

2.11 Scenic Resources

Sylvan Beach has a variety of scenic resources unusual for a village of its size. Its entire western edge is a sand beach fronting Oneida Lake, all of which is open to public use. Since it looks west over the lake, it provides unobstructed sunset views over a 28 mile stretch of Oneida Lake for strolling visitors. Beach, waterfront, and sunset views are also significant components for residential properties along the numerous short streets running west from Route 13 to the shoreline. Refurbishing the pier could provide new viewsheds of sunsets for pedestrians. The pier would also provide views back toward the beach and the row of cottages that stand behind it.

The Village is located on the historic Erie Canal at the point where it joins Oneida Lake, offering residents and visitors the opportunity to observe waterborne traffic on the oldest through water route still operating in the United States.

DRAFT



Map 2.6 - Sylvan Beach Scenic Views
Village of Sylvan Beach Local Waterfront Revitalization Program

2.12 Surface and Groundwater Water Quality

Owing to the Village's extensive shoreline, there are two distinct elements to be considered as regards water quality: Fish Creek and Oneida Lake. The brief length of the Erie Canal abutting the Village is fed predominantly by Fish Creek and Wood Creek, and while its use by boats will inevitably affect water quality, the regulations of the New York State Canal Corporation and DEC are significant in maintaining Erie Canal water quality.

Fish Creek

Fish Creek borders the Village to the east for the final mile or so of its length. It rises on the Tug Hill plateau in Lewis County, and flows through the towns of Martinsburg, Montague, West Turin, Osceola, Lewis, Annsville, and Vienna, being joined by a West Branch flowing through the towns of Williamstown and Camden. The greater share of its flow comes from the East Branch, here considered the main stream by local residents and regional planners. In 1982, the National Park Service conducted a study of the east branch of the Fish Creek watershed to consider it for inclusion in the Federal Wild, Scenic, and Recreational Rivers system. As a result, local towns voluntarily adopted local land use regulations aimed at managing land uses along the banks of Fish Creek, with the idea of keeping it as a pristine stream, while not negating the profitable lumbering and second-home development that are the predominant uses of land along its banks. Along with this effort, the Town of Annsville recently completed construction of a new wastewater collection and treatment system for the hamlet of Taberg, part of which had discharged raw sewage into Fish Creek. As a result, when Fish Creek reaches Sylvan Beach, its flow is of high quality. Owing to the fairly large area of its watershed, it is an important minor element of the statewide water resources inventory.

The Village of Sylvan Beach Sewage Treatment Plant discharges treated effluent into Fish Creek one mile above where it empties into the Erie Canal. In 2019, the NYSDEC issued a Consent Order to the Village Of Sylvan Beach which, in essence, requires the Village waste treatment plant to convert to a new, more effective process that will enable the Village to comply with the limits outlined in its SPEDES Permit. The Village has 36 more months to implement these changes which will require a \$30.0 million upgrade to its treatment facility in order to implement the new wastewater treatment process.

Oneida Lake

According to the United States Geological Survey (USGS), Oneida Lake is a eutrophic lake, a moderately shallow relict of the post-glacial flooding that occurred over much of Central New York. By eutrophic, limnologists mean a water body with a tendency to summer algal blooms. Within the historic period, the lake's water quality has always been affected by these cyanophyte blooms, which sometimes produce swirling multicolored patches on the water surface and give off pungent odors as they decay. One major cause of these blooms was phosphorus from agricultural fertilizer runoff, and the banning of phosphorus-containing fertilizers in 1973 reduced the lake's phosphorus content by 50%, decreasing algal blooms. Fish Creek and a few minor streams on the north shore of the lake

together provide two-thirds of the inflow to the lake, but only 20% of the nutrients for the lake's ecosystem. The remaining nutrients come from south shore tributaries.

The overall water quality in the lake is classified by the NYS DEC as class "B," meaning that the water is appropriate for both primary and secondary contact via recreation and fishing. These waters are also suitable for fish and wildlife propagation and survival.

Oneida Lake water quality improved during the 1990s through a beneficial aspect of an immigrant shellfish usually regarded as a problem: the zebra mussel. Zebra mussels are native to Eastern Europe and are believed to have entered the Great Lakes by discharge of ballast from ships originating in that area and coming up the St. Lawrence Seaway. Oneida Lake's shallowness and openness combine to produce above-normal mixing of waters. This and its warm summer temperatures and high calcium content produce ideal zebra mussel habitat. The zebra mussel lives by siphoning up to a quart of water daily and filtering out algae and organic debris. This has greatly changed Oneida Lake's clarity and in consequence strongly affected its ecosystem, which is discussed below.

Oneida Lake's algal blooms and rooted lake vegetation have historically impaired recreational use of the lake. Although the Village's beach is made up of sand without significant rooted vegetation, occasional storms uproot aquatic vegetation and deposit it on the beach.

The Village participated in the completed Oneida Lake Watershed Study conducted by the Central New York Regional Planning and Development Board, in whose member counties most of Oneida Lake is located. The Village is also committed to running its sewage treatment plant in accord with DEC standards. The Village's sewage treatment conforms to the DEC standards intended to prevent the over-fertilization of Oneida Lake and consequent eutrophic growth. The major concerns for human-originated impacts on the lake arise from shoreline areas in Madison and Oswego Counties, relatively remote from the Village. Water quality in Oneida Lake is considered to be generally good, according to DEC data, though chromium, iron, lead, zinc, copper, and aluminum compounds were present in samples taken at the western end of the lake, in quantities above the minimum reportable level but not at levels to arouse concern.

The Village of Sylvan Beach identified the following major concerns to the Oneida Lake Watershed Study in its 2002 survey of watershed community municipal concerns. Though they extend across most of the subject areas addressed in the LWRP, the summary, which concerns itself with watershed management, probably fits best here, as addressing water quality and interrelated concerns.

The issues of highest concern for this municipality [Sylvan Beach] are economic development, tourism enhancement, and planning (regional/long-term). Non-native plants and animals (including zebra mussels and water chestnut), aquatic vegetation, the impact of cormorants on fisheries, and the need for long-term population control of nuisance species are additional concerns for the municipal representatives. Another issue of high concern is the reduction of fish populations in Oneida Lake. Intoxicated boaters and personal watercraft operators, insufficient public access, and a lack of available docking space are recreational issues that

should be addressed. Streambank and lakeshore erosion are additional concerns in Sylvan Beach, as well as the maintenance of lake and streambank protection structures, flooding, highway maintenance, and the storage of road salt.

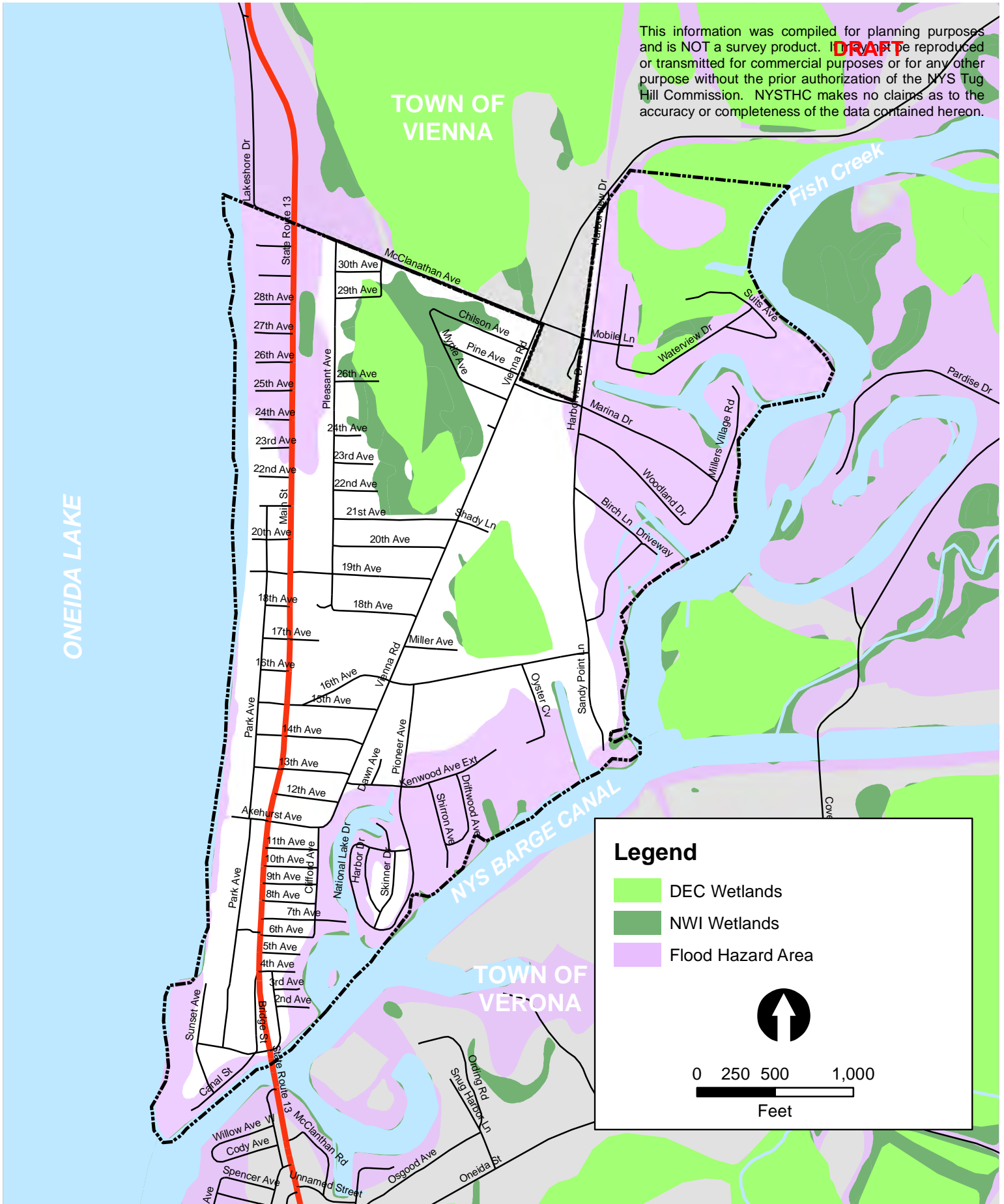
Of all these issues, municipal representatives stated that the highest priority topics include erosion and sedimentation, water quality, personal watercraft and boater safety, and the availability of public access and docking space. Technical and financial assistance, in addition to education, are products that these representatives would like to see develop from the Watershed Management Plan. On a scale of 1 to 10, municipal representatives rated the overall quality of Oneida Lake as 5 (Good).

The Oneida Lake Watershed Study identified a number of issues addressed in the LWRP as regional concerns, but did not itself explicitly address Village-specific issues or concerns.

Wood Creek in the Village is channelized as a part of the old Erie Canal system. A 1995 DEC report indicated a need to study the creek between Rome and Sylvan Beach for impacts on fish survival and the possibility of pollutants from upstream. This is particularly important in that DEC suspects the channelized area served as a “sediment sink” trapping pollutants.

Wetlands

Wetlands are transitional areas between terrestrial and aquatic environments where the water table (the level of groundwater) is at or near the ground surface or the land is covered by shallow water. These areas often act as groundwater recharge areas, areas for filtering and cleaning water, and as significant wildlife habitat. The DEC regulates and monitors State wetlands, including the Sylvan Beach wetlands, under Article 24, the Freshwater Wetlands Act, of New York State Law. It should be noted that two small DEC-regulated wetland areas, coded SB-33 and SB-37, lie in the northern part of the Village. Also, just north of the Village’s northeast boundary, SB-25 appears to have one small outlier extending within Village limits.



2.13 Fish and Wildlife

Analysis of Sylvan Beach's water-based zoological resources requires primary attention to Oneida Lake, with due consideration to Fish Creek and the surrounding wetlands areas as a secondary factor. This subsection will address the ecology of the lake, followed by its fish and wildlife resources, and finally the biology of Fish Creek and nearby wetlands.

As was noted above, the ecology of Oneida Lake is undergoing major changes. Prior to the 1970s the lake was strongly eutrophic, with an ecosystem where nutrients from the south shore tributaries encouraged algal growth which was, in turn, consumed by zooplankton with *Daphnia* a leading constituent. The zooplankton provided a food source for the "higher" life forms of the lake's ecosystem. Growth of algae in the summer, beyond the zooplankton's consumption capacity, led to algal blooms covering much of the lake. The outlawing of phosphates as a component of agricultural fertilizers in the 1970s and the accidental introduction of zebra mussels in the 1980s resulted in a clarification of the waters and reduced algal growth, at least of the cyanophytes responsible for the blooms. This promoted the growth of rooted weeds (also technically algae, but of different forms than the floating cyanophytes), providing additional cover for shallow water fish species. The long-term impact of the greater lake clarity and cessation of the periodic algal blooms on the deep water fish species is not yet known.

In the 19th and early 20th centuries, Oneida Lake was noted for ciscos (termed "whitefish"), eels, chain pickerel, walleyes, and northern pike. The damming of the Oswego River, which connected Oneida Lake to Lake Ontario and thence with the Atlantic via the St. Lawrence, resulted in the decline of eels. Cottage development and other shoreline construction, with the draining of wetlands, meant that the pickerel and northern pike, which spawned in lakeshore marshes and adjacent wetlands, also dropped in numbers.

The current game fish common in the lake include carp, walleye pike, yellow perch, gizzard shad, and freshwater drum. Other interesting and significant species constitute a minor component. DEC and Cornell University estimates suggest that the lake's walleye population ranges from 200,000 to one million, with anglers' catches averaging about 25% of the population, between 50,000 and 450,000 per year. DEC controls walleye harvest by anglers with flexible regulations. Estimates suggest the normal yellow perch population ranges between one and four million.

The gizzard shad, a longtime component of Lake Ontario and Oswego River ecosystems, was a negligible constituent of the lake population until 1984, expanding in the next decade to a level where they became the major prey for walleyes, but then declining. At present they are relatively scarce. The freshwater drum became a significant element of the lake's population in 1987, and in recent years have maintained a population level about half that of the walleye. A long-lived fish, the drum is likely to remain a significant part of Oneida Lake's fish population for many years.

White perch have become an element of the lake's ecosystem since construction of the Erie Canal System. An ocean fish, they are also capable of freshwater existence, and have expanded to a level similar to the native yellow perch.

A key fish element of the lake is smallmouth and largemouth bass, popular game fish nowhere near as common as the above species but of major interest to anglers. Other fish of less interest to anglers but with significant roles in the ecosystem include carp, rock bass, "pumpkinseed" sunfish, bluegills, black crappie, burbot, bullheads, white suckers, and channel catfish. Oneida Lake has always had a lake sturgeon population, and these large rare fish are newsworthy when caught.

Several waterbird species are present over and around Oneida Lake. The smallest, the common tern, is considered a "threatened" species in New York State. With intervention by DEC and Cornell University to improve nesting habitat and minimize predation by gulls, these birds are now stabilized at a population of about 400 nesting pairs.

Two species of gulls are present. The ring-backed gull, the smallest, is the common "seagull" noted by beachgoers and boaters, and well adapted to human presence. In addition to harvesting worms and rodents from farm fields, the ring-backed gull targets landfills and parks, where it lives off human refuse. An average of 850 breeding pairs of ring-backed gulls are found around Oneida Lake. The herring gull is an Atlantic Ocean bird, larger and more predatory than the ring-backed gull, preying on near-surface fish and on the eggs and young of other birds. In the past two decades, its Oneida Lake population has ranged from 20 to 60 pairs.

The double-crested cormorant population is about 2,000 birds. These birds are divers after small and medium-sized fish, competing with anglers for common game fish. At present, they harvest a small but significant share of the walleye and yellow perch population. They are protected by the Migratory Bird Treaty Act of 1972. Gray herons are also routinely spotted on the beach during the summer season.

As previously noted, the influx of the highly competitive zebra mussel has been a major factor in the shift in Oneida Lake's ecosystem. One highly significant additional aspect of their invasion of Oneida Lake has been the extinction of the lake's native clams.

2.14 Endangered and Invasive Plants

Another invader, the purple loosestrife, is a wetland plant that is outcompeting many native wetland plants, and requires management. Among plant life that was historically present in or near Sylvan Beach but is no longer extant are the following species: the ram's-head ladyslipper (*Cypripedium arietinum*), the blunt spikerush (*Eleocharis obtusa ovata*), the dwarf bullrush (*Lipocarphum micrantha*), the salt-water spikerush (*Eleocharis halophila*), the lake-cress (*Armoracia lacustris*), panic grass (*Panicum scabriusculum*), and lance-leaved loosestrife (*Lysimachia hybrida*). Also no longer present are a tree, the shellbark hickory (*Carya laciniosa*) and the brindled madtom (*Noturus miurus*), a catfish.

Oneida Lake as a whole suffers from algal blooms and the growth of rooted vegetation. Although the sandy lake bottom and shoreline means that rooted vegetation is usually not a problem along Sylvan Beach's shoreline, uprooted aquatic vegetation, as noted above, is often carried onto the Village's lakeside beach by wind and waves. The Village will consult with DEC to determine how to implement and fund a cleanup program to combat this problem.

The issues noted for Oneida Lake also apply to Fish Creek adjacent to Sylvan Beach. Like the lake, it provides a fishing and boating resource to the Village, and many of the shallower-water fish of the lake are abundant in these lower reaches of Fish Creek as well. Particularly, it provides spawning area for walleye, and the impact of the discharge from the Village's wastewater treatment plant on the walleye population must be considered. At present, the cessation of chlorination of the wastewater discharge during walleye breeding season is considered sufficient by DEC.

As noted above, the Village of Sylvan Beach contains two small state-regulated wetland areas, with a third spanning the northeast border. However, lands along Fish Creek and the Oneida Lake shoreline north of the Village and south in the Verona Beach area include extensive wetlands. The Village's waterfront policies will address the need to preserve these wetlands, as their presence helps preserve the lake/stream ecosystem which is the Village's most valuable natural resource.

Wood Creek has in the past been a poor fishing area due to urban, suburban, and agricultural pollution. As of this study, conditions seem to be improving, but updated DEC studies will be needed in the future.

As might be expected, the Village itself, with its relatively small land area, is not the sole reservoir for any endangered or protected plant or animal species, but adjacent lands do house species of concern to DEC, as described above. The Village's role in conserving such life forms is to act in concert with the state and neighboring towns, villages, and counties to ensure that their habitat is not impacted.

2.15 Erosion and Flooding

The Village of Sylvan Beach has two areas in which erosion concerns are relevant: the Oneida Lake beach and the banks of Fish Creek. In both cases, hard data as to the extent of erosion has been very difficult to isolate, but anecdotal evidence is prevalent.

Based on the latter, a significant amount – one estimate is 50% – of the beach width has been lost to erosion over the last few decades. Maintenance of sand along the beach has been effectively nonexistent. The public beach along the Oneida Lake shore is a major element in Sylvan Beach's appeal as a water-based tourism resort. Beach replenishment has been called for at several times over the past few years. The Village has worked with the New York State Canal Corporation, the U.S. Army Corps of Engineers and the NYS Department of Environmental Conservation for an annual replenishment of beach sand using dredge spoil from the Erie Canal and Fish Creek, so that by 2021 this project will be under way.

Complaints of banks along Fish Creek crumbling, with property loss to landowners and the resultant sedimentation and turbidity in Fish Creek, has also been an occasional but regular complaint. The Village will arrange with DEC for an examination of the condition of the banks along Fish Creek and National Lake, and determine the need for bank stabilization measures and bank enhancements in accordance with the Village's Local Waterfront Revitalization Program erosion policies.

The Village's physical location on flat land is significant. The Village has no significant slopes, and erosion concerns are limited to the effect of storms and seasonal lake level variation on the shorelines. Its Oneida Lake shoreline comprises the largest sand beach along Oneida Lake, and reputedly the only natural one. On the other hand, the low-lying character of the Village means that flooding is a hazard to be addressed. The village must have a flood damage prevention law including at least the minimum standards for resilient development in Federal Emergency Management Agency (FEMA) mapped special flood hazard areas, and a critical requirement that must be met to qualify municipalities for participation in the National Flood Insurance Program (NFIP). This allows federally backed flood insurance to be sold within the municipality and is required for the municipality to be eligible for federal disaster assistance for structures in mapped floodplains. Portions of the Village, especially land along Fish Creek, the Erie Canal, and the Oneida Lake beach lie within special flood hazard areas subject to inundation by the 1% annual chance flood. The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year.

2.16 Infrastructure Resources

Vehicular Transportation

Land-based transportation access to the Village is exclusively by highway. There is no railway or aircraft access, although the cities of Rome and Oneida, less than 20 miles away to the west and south respectively, are served by both passenger and freight trains, and the Utica-Rome Airport is a moderately short drive from the Village.

The principal artery is New York State Route 13, which runs north-south through the Village one block from the Oneida Lake shoreline. It intersects east-west highways abutting the shores of Oneida Lake both north and south of the Village: State Route 49 lying to the north and State Route 31 to the south. Route 13 has an interchange with the New York State Thruway, a toll-road portion of the Interstate Highway system (I-90) approximately 7.2 miles south of Sylvan Beach, at Exit 34.

The Village has embarked on the implementation of a five million dollar streetscape improvement plan aimed at improving visual appearance and pedestrian access along NYS Route 13, which is Sylvan Beach's Main Street. The plan includes road reconstruction, bike paths, landscaping, LED street lighting, curbs, crosswalks, new or replacement sidewalks, trash bins, and burying and/or moving utility poles and lines from the east side of the street. It is anticipated that completion of this plan will

improve pedestrian access to the downtown business district, with consequent positive impacts on the Village's economy.

Village streets vary in width, the older roads being as narrow as fourteen feet, to newer ones ranging up to 22.5 feet wide. In general, this road mix adds to the character of the Village, but can cause some problems when access to a commercial facility is on one of the narrower roads.

There is extensive public parking in the southerly part of the Village, but the influx of visitors on summer and holiday weekends leads to inadequate parking. The development of the Oneida Indian Nation casino/restaurant will likely exacerbate this situation. Most lots set aside for parking purposes are owned by adjacent businesses and intended for the use of their clientele. The municipal lot is adequate except at these peak periods, and also constitutes an income source for the Village. Areas with on-street parking are restricted to those adjacent to the Canal and Spencer Park. Addressing peak-period parking concerns is an essential to Village economic growth. The village may wish to upgrade existing and add new parking areas by purchase of property. Solutions for temporary parking issues may be to bring a shuttle service into the village when large events are scheduled.

A new element recently added to the Village's transportation system is a bicycle and pedestrian trail constructed on the former NYO & W railway bed that runs diagonally across the Village from northwest to southeast, funded by a TEA-21 grant. The northern end ties into a similar trail being constructed on the extension of the same roadbed through the Towns of Vienna, Constantia, West Monroe, and Hastings to provide a 30-mile-long trail. The Village will identify additional nearby trails and the feasibility of linking the trails. In particular, trails paralleling NYS Routes 49 and 5 north and south of the Village might be connected by trails using the NYS Route 13 right-of-way.

Water-based transportation is a significant asset to the Village. As noted in the previous section, boaters frequent the Village using both Oneida Lake and the Erie Canal to reach it. Concerns for docking and boat launching mentioned in that section play a part in the Village's transportation planning.

Drinking Water Supply

The Village of Sylvan Beach receives its water from the Onondaga County Water Authority (OCWA), under a forty-year contract dating from December 1992. As an element of that contract, all 81,500 linear feet of water mains in the Village have been completely rebuilt. A million-gallon reservoir built in the early 1990s belonging to the Onondaga County Water Authority (OCWA) is located north of the Village in the Town of Vienna and constitutes the principal Village water source. There are 1,030.25 water services in the Village, each paying \$106.15 (in 2017) (plus usage fees) annually for water supply, and the available resources are deemed adequate by state authorities for maintaining pressure and quantity, including fire-fighting use, with adequate resources for new development.

Wastewater Disposal

A large wastewater treatment plant in the north end of the Village serves not only the Village of Sylvan Beach but also areas in the Towns of Vienna, Verona, Sullivan, and Lenox. The plant will accommodate 4,725 gallons per minute or an average treatment capacity of 2,600,000 gallons per day (GPD). There are 1,022.25 sewer units in the Village. A flat fee of \$475.61 (in 2017) per “unit” is charged within the Village, a “unit” being the designation for an average residential property. Manufactured homes may be charged a fraction of a unit, commercial properties two or more units, etc. Major sewer mains run along the main streets, with households connected to them by smaller lines. The treatment plant is licensed for two million GPD, with an average flow rate at about one million GPD and a current maximum flow rate at 1.75 million GPD. Treated effluent is discharged into Fish Creek. The wastewater treatment plant was constructed in 1978 and operates under a SPDES permit first issued at that time and renewed at appropriate intervals since.

Solid Waste Management

Sylvan Beach has no municipal trash removal service. Private contractors pick up solid waste for a fee, transporting it to approved landfills and other disposal sites outside the Village.

Section 3: Local Waterfront Revitalization Program Policies

This section includes the State Coastal Policies and an indication of which policies are applicable within the Village of Sylvan Beach Waterfront Revitalization Area described in Section I of this LWRP. Following this policy statements are explanation of policies, including any local refinement necessary to relate to the Sylvan Beach WRA.

These policies are organized and grouped under eleven headings: Development Policies, Fish and Wildlife Policies, Flooding and Erosion Hazards Policies, General Policy, Public Access Policies, Recreation Policies, Historic and Scenic Resources Policies, Agricultural Lands Policy, Energy and Ice Management Policies, Water and Air Resources Policies, and Wetlands Policy.

3.1 Development Policies

Policy 1:

Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Explanation of Policy

There are several structures and sites that are currently underutilized or deteriorating within the Village's WRA boundary. The Village supports the restoration of the pier extending into the lake from Sunset Park, as well as the redevelopment and revitalization of the Amusement District in the Village which includes important properties such as the former Yesterday's Royal restaurant on Canal Street. The Amusement District represents the best opportunity for future economic development within the WRA without encroaching on open space, environmentally-sensitive land, or residential uses.

State and local agencies must ensure that their actions further the revitalization of urban waterfront areas. The transfer and purchase of property; the construction of a new office building, highway or park; the provision of tax incentives to businesses; and establishment of enterprise zones, are all examples of governmental means for spurring economic growth. When any such action or similar action is proposed, it must be analyzed to determine if the action would contribute to or adversely affect a waterfront revitalization effort.

It must be recognized that revitalization of once dynamic waterfront areas is one of the most effective means of encouraging economic growth in the State, without consuming valuable open space outside of these waterfront areas. Waterfront redevelopment is also one of the most effective means of rejuvenating or at least stabilizing residential and commercial districts adjacent to the redevelopment area.

In responding to this policy, several other policies must be considered: (1) Uses requiring a location abutting the waterfront must be given priority in any redevelopment effort. (Refer to Policy 2 for the

means to effectuate this priority); (2) As explained in Policy 5, one reason for revitalizing previously dynamic waterfront areas is that the costs for providing basic services to such areas is frequently less than providing new services to areas not previously developed; (3) The likelihood for successfully simplifying permit procedures and easing certain requirements (Policy 6) will be increased if a discrete area and not the entire urban waterfront is the focus for this effort. In turn, ease in obtaining permits should increase developers' interest to invest in these areas. Further, once this concentrated effort has succeeded, stabilization and revitalization of surrounding areas is more likely to occur.

Local governments through waterfront revitalization programs have the primary responsibility for implementing this policy. Though local waterfront revitalization programs need not be limited to redevelopment, local governments are urged to identify areas as suitable for redevelopment and establish and enforce redevelopment programs.

1. When a State or local action is proposed to take place in an urban waterfront area regarded as suitable for redevelopment, the following guidelines will be used:
 - a. Priority should be given to uses which are dependent on a location adjacent to the water;
 - b. The action should enhance existing and anticipated uses. For example, a new highway should be designed and constructed so as to serve the potential access needs for desirable industrial development;
 - c. The action should serve as a catalyst to private investment in the area;
 - d. The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration. For example, a building could not be abandoned without protecting it against vandalism and/or structural decline;
 - e. The action must lead to development which is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use;
 - f. The action should have the potential to improve the existing economic base of the community and, at a minimum, must not jeopardize this base. For example, waterfront development meant to serve consumer needs would be inappropriate in an area where no increased consumer demands is expected and existing development is already meeting demand;
 - g. The action should improve adjacent and upland views of the water, and, at a minimum, must not affect these views in an insensitive manner;
 - h. The action should have the potential to improve the potential for multiple uses of the site.

2. If a State or local action is proposed to take place outside of a given deteriorated, underutilized urban waterfront area suitable for redevelopment, and is either within the relevant community or adjacent waterfront community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized urban waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

Policy 2:***Facilitate the siting of water dependent uses and facilities on or adjacent to inland waterways.***Explanation of Policy

The pier that extends off Sunset Park was formerly used for fishing and passive enjoyment of the waterfront. The restoration of this pier offers an opportunity to provide better access to the waterfront for these activities.

There is a finite amount of waterfront space suitable for development purposes. Consequently, while the demand for any given piece of property will fluctuate in response to varying economic and social conditions, on a statewide basis, the only reasonable expectation is that long-term demand for waterfront space will intensify.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to the State's inland waterways. To ensure that such "water-dependent" uses can continue to be accommodated within the State, State agencies will avoid undertaking, funding, or approving non-water-dependent uses when such uses would preempt the reasonably foreseeable development of water dependent uses; furthermore, agencies will utilize appropriate existing programs to encourage water dependent activities.

Water dependent activities shall not be considered a private nuisance, provided such activities were commenced prior to the surrounding activities and have not been determined to be the cause of conditions dangerous to life or health and any disturbance to enjoyment of land and water has not materially increased.

A water dependent use is an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

The following uses and facilities are considered as water-dependent:

1. Uses which depend on the utilization of resources found in inland waterways (for example: fishing, mining of sand and gravel, aquaculture activities);
2. Recreational activities which depend on access to inland waterways (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the waterway/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities);
4. Structures needed for navigational purposes (for example: dams, locks, lighthouses);
5. Flood and erosion protection structures (for example: breakwaters, bulkheads);
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants, fish processing plants, pumped storage power plants);
8. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained (for example: coal export facilities, cement plants, quarries);
9. Uses which operate under such severe time constraints that proximity to shipping facilities become critical (for example: firms processing perishable foods);
10. Scientific/educational activities which, by their nature, require access to inland waterways (for example: certain meteorological and scientific activities);
11. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water dependent use they should, as much as possible, be sited inland from the water dependent use rather than on the shore.

In addition to water dependent uses, those uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water dependent uses. A water-enhanced use is defined as a use or activity which does not require a location adjacent to or over inland waterways, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water's edge. Water enhanced uses are primarily recreational, cultural, retail, or entertainment uses. A restaurant which uses good site design to take advantage of a waterfront view is an example of a water-enhanced use.

If there is no immediate demand for a water dependent use in a given area but a future demand is reasonably foreseeable, temporary non-water dependent uses should be considered preferable to a non-water dependent or enhanced use which involves an irreversible or nearly irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, and non-permanent structures are uses or facilities which would likely be considered as "temporary" non-water-dependent uses.

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following guidelines should be used:

1. Competition for space - competition for space, or the potential for it, should be indicated before any given site is promoted for water dependent uses. The intent is to match water dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water dependent activities or else the encouragement of water dependent development.
2. In-place facilities and services - most water dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:
 - a) The availability of public sewers, public water lines and adequate power supply;
 - b) Access to the area for trucks and rail, if heavy industry is to be accommodated; and
 - c) Access to public transportation, if a high number of person trips are to be generated.
3. Access to navigational channels - if commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within a sheltered harbor, from which access to adequately sized navigation channels would be assured.
4. Compatibility with adjacent uses and the protection of other inland waterway resources – water dependent uses should be located so that they enhance, or at least do not detract from, the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas from odors, noise and traffic. Affirmative approaches should also be employed so that water-dependent use and adjacent uses can serve to complement one another. For example, a recreation-oriented water dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn

be enhanced by, nearby restaurants, motels and other non-water-oriented tourist activities. Water dependent uses must also be sited so as to avoid adverse impacts on the significant inland waterway resources.

5. Preference to underutilized sites: The promotion of water-dependent uses should serve to foster development as a result of the capital programming, permit expediting and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the State's waterfront areas which are currently underutilized.
6. Providing for expansion - a primary objective of the policy is to create a process by which water dependent uses can be accommodated well into the future. State agencies and localities should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

In promoting water dependent uses, the following kinds of actions will be considered:

1. Favored treatment to water dependent use areas with respect to capital programming. Particular priority should be given to the construction and maintenance of port or harbor facilities, roads, railroad facilities, and public transportation within areas suitable for water dependent uses.
2. When areas suitable for water dependent uses are publicly owned, favored leasing arrangements should be given to water dependent uses.
3. Where possible, consideration should be given to providing water dependent uses with property tax abatements, loan guarantees, or loans at below market rates.
4. State and local planning and economic development agencies should actively promote water dependent uses. In addition, a list of sites available for non-water-dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects.
5. Local and State agencies should work together to streamline permitting procedures that may be burdensome to water dependent uses. This effort should begin for specific uses in a particular area.
6. Local land use controls, especially the use of zoning districts exclusively for waterfront uses, can be an effective tool of local government in assuring adequate space for the development of water dependent uses.

Policy 3:

Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people.

Explanation of Policy

Under the current conditions this policy does not apply to the Village of Sylvan Beach.

The aim of this policy is to support port development in New York, Albany, Buffalo, Ogdensburg, and Oswego.

Policy 4:

Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.

Explanation of Policy

Restoring and redeveloping the Sylvan Beach pier and the Village's Amusement District will create new recreational uses and opportunities as well as encourage development of new water-dependent and water-enhanced uses. These uses include the pier itself, a Welcome Center in Sunset Park, a beachside boardwalk connecting the beach to the Village Center, and eventual redevelopment of key properties in the Village Amusement District.

This policy recognizes that the traditional activities occurring in and around numerous smaller harbors throughout the State's inland waterways contribute much to the economic strength and attractiveness of these harbor communities. Thus, efforts of state agencies shall center on promoting such desirable activities as recreational and commercial fishing, ferry services, marinas, historic preservation, cultural pursuits, and other compatible activities which have made smaller harbor areas appealing as tourist destinations and as commercial and residential areas. Particular consideration will be given to the visual appeal and social benefits of smaller harbors which, in turn, can make significant contributions to the State's tourism industry.

The following guidelines shall be used in determining consistency:

1. The action shall give priority to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the water.
2. The action will enhance or not detract from or adversely affect existing traditional and/or desired anticipated uses.

3. The action shall not be out of character with, nor lead to development which would be out of the character with, existing development in terms of the area's scale, intensity of use, and architectural style.
4. The action must not cause a site to deteriorate, e.g., a structure shall not be abandoned without protecting it against vandalism and/or structural decline.
5. The action will not adversely affect the existing economic base of the community e.g., waterfront development designed to promote residential development might be inappropriate in a harbor area where the economy is dependent upon tourism and commercial fishing.
6. The action will not detract from views of the water and smaller harbor area, particularly where the visual quality of the area is an important component of the area's appeal and identity.
7. In applying the above guidelines, the information in harbor management plans being developed by local governments pursuant to Article 42 of the Executive Law and local laws that would implement them shall be considered.

Policy 5:

Encourage the location of development in areas where public services and facilities essential to such development are adequate.

Explanation of Policy

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development, particularly large-scale development, in the shorefront area will be encouraged to locate within, contiguous to, or in close proximity to, existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

The above policy is intended to accomplish the following:

- strengthen existing residential, industrial and commercial centers;
- foster an orderly pattern of growth where outward expansion is occurring;
- increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;
- preserve open space in sufficient amounts and where desirable
- foster energy conservation by encouraging proximity between home, work, and leisure activities.

For any action that would result in large scale development or an action which would facilitate or serve future development, a determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate. The following guidelines shall be used in making that determination:

1. Cities, built-up suburban towns and villages, and rural villages in the shorefront area are generally areas of concentrated development where infrastructure and public services are adequate.
2. Other locations in the shorefront area may also be suitable for development, if three or more of the following conditions prevail:
 - a. Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
 - b. Fewer than 50% of the buildable sites (i.e., sites meeting lot area requirements under existing local zoning regulations) within one-mile radius of the proposed site are vacant;
 - c. Proposed site is served by or is near to public or private sewer and water lines;
 - d. Public transportation service is available within one mile of the proposed site; and
 - e. A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.
3. The following points shall be considered in assessing the adequacy of an area's infrastructure and public services:
 - a. Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;
 - b. Development's water needs (consumptive and firefighting) can be met by the existing water supply system;
 - c. Sewage disposal system can accommodate the wastes generated by the development;
 - d. Energy needs of the proposed land development can be accommodated by existing utility systems;
 - e. Stormwater runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and

- f. Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development.

It is recognized that certain forms of development may and/or should occur at locations which are not within or near areas of concentrated development. Thus, this development policy does not apply to the following types of development projects and activities.

1. Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.
2. Development which, by its nature, is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home developments.
3. Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.
4. Water dependent uses with site requirements not compatible with this policy or when alternative sites are not available.
5. Development which because of its isolated location and small scale has little or no potential to generate and/or encourage further land development.
6. Uses and/or activities which because of public safety consideration should be located away from populous areas.
7. Rehabilitation or restoration of existing structures and facilities.
8. Development projects which are essential to the construction and/or operation of the above uses and activities.

In certain urban areas where development is encouraged by this policy, the condition of existing public water and sewage infrastructure may necessitate improvements. Those State and local agencies charged with allocating funds for investments in water and sewer facilities should give high priority to the needs of such areas so that full advantage may be taken of the rich array of their other infrastructure components in promoting waterfront revitalization.

Policy 6:

Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

Explanation of Policy

For specific types of development activities, and in areas suitable for such development, State agencies and local governments participating in the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will make every effort to coordinate and synchronize existing permit procedures

and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures are synchronized with other agencies' procedures at each level of government. Finally, regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

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

3.2 Fish and Wildlife Policies

Policy 7:

Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Explanation of Policy

Under the current conditions this policy does not apply to the Village of Sylvan Beach.

This policy applies only to significant fish and wildlife habitats designated by the State and located in the State's coastal area.

Policy 8:

Protect fish and wildlife resources in the waterfront revitalization area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.

Explanation of Policy

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [§27-0901(3)] as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or otherwise managed." A list of hazardous wastes (NYCRR Part 371) is provided by DEC.

The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment,

particularly into the State's air, land, and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the State's fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

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

Policy 9:

Expand recreational use of fish and wildlife resources in the waterfront revitalization area by increasing access to existing resources, supplementing existing stocks, and developing new resources.

Explanation of Policy

Restoring the Sylvan Beach pier will allow for new recreational opportunities. Specifically, a new pier will expand recreational fishing off the pier by creating new access for people to fish.

Recreational uses of fish and wildlife resources include consumptive uses such as fishing and hunting, and non-consumptive uses such as wildlife photography, bird watching, and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in the waterfront revitalization area and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound management considerations. Such considerations include biology of the species, carrying capacity of the resources, public demand, costs and available technology.

The following additional guidelines should be considered by State and local agencies as they determine the consistency of their proposed action with the above policy:

1. Consideration should be made by local and State agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.

4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

Policy 10:

Further develop commercial finfish, shellfish, and crustacean resources in the inland waterway area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the State's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.

Explanation of Policy

Commercial fishery development activities must occur within the context of sound fishery management principals developed and enforced within the State's waters by the New York State Department of Environmental Conservation and the management plans developed by the Regional Fisheries Management Councils (Mid-Atlantic and New England) and enforced by the U.S. National Marine Fisheries Service within the Fishery Conservation Zone. (The Fishery Conservation Zone is the area of coastal waters extending from the three-mile State waters boundary to the 200-mile offshore boundary of the U.S. waters. The Conservation Zone is authorized by the U.S. Fishery Conservation and Management Act of 1976.) Sound resource management considerations include optimum sustained yield levels developed for specific commercial fish species, harvest restrictions imposed by State and federal governments, and the economic, political (uses conflicts), and technological constraints to utilizing these resources.

The following additional guidelines should be considered by State and federal agencies as they determine the consistency of their proposed action with the above policy:

1. A public agency's commercial fishing development initiative should not preempt or displace private sector initiative.
2. A public agency's efforts to expand existing or create new on-shore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.
3. Consideration should be made by State and Federal agencies whether an action will impede existing utilization or future development of the state's commercial fishing resources.
4. Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

3.3 Flooding and Erosion Hazards Policies

Policy 11:

Buildings and other structures will be sited in the waterfront revitalization area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

Explanation of Policy

On waterfront lands identified as coastal erosion hazard areas, buildings and similar structures shall be set back from the shoreline a distance sufficient to minimize damage from erosion unless no reasonable prudent alternative site is available as in the case of piers, docks, and other structures necessary to gain access to coastal waters to be able to function. The extent of the setback will be calculated, taking into account the rate at which land is receding due to erosion and the protection provided by existing erosion protection structures, as well as by natural protective features such as beaches, sandbars, spits, shoals, barrier islands, bay barriers, nearshore areas, bluffs, and wetlands. The only new structure allowed in coastal erosion hazard areas is a moveable structure as defined in 6 NYCRR Part 505.2(x). Prior to its construction, an erosion hazard areas permit must be approved for the structure. Existing non-conforming structures located in coastal erosion hazard areas may be only minimally enlarged.

In high risk areas, identified as being subject to high velocity waters caused by hurricanes or other storm events, walled and roofed buildings or fuel storage tanks shall be sited landward, and no mobile home shall be sited in such area. In areas identified as floodways, no mobile homes shall be sited other than in existing mobile home parks.

Where human lives may be endangered by major storms, all necessary emergency preparedness measures should be taken, including disaster preparedness planning.

Policy 12:

Activities or development in the waterfront revitalization area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

Explanation of Policy

Beaches, dunes, barrier islands, bluffs, and other natural protective features help safeguard shorefront lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of shorefront features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity

to, natural protective features must ensure that all such adverse actions are minimized. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

Policy 13:

The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

Explanation of Policy

Erosion protection structures are widely used throughout the State's waterfront areas. However, because of improper design, construction and maintenance standards, many fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

Policy 14:

Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.

Explanation of Policy

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

Policy 15:

Mining, excavation, or dredging in inland waterways shall not significantly interfere with the natural inland waterway processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

Explanation of Policy

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

Policy 16:

Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.

Explanation of Policy

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

Policy 17:

Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

Explanation of Policy

1. This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the inland waterway or coastal area, as well as the costs of protection against those hazards which structural measures entail.
2. "Non-structural measures" shall include, but not be limited to: (1) within coastal erosion hazard areas identified under Section 0104 of Coastal Erosion Hazard Areas law, (Environmental Conservation Law Article 34), and subject to the permit requirements on all regulated activities and development established under that Law, (a) the use of minimum setbacks as provided for in Section 0108 of Environmental Conservation Law Article 34; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the planting of stabilizing vegetation, and the installation of drainage

systems on bluffs to reduce runoff and internal seepage of waters which erode or weaken the landforms; and (2) within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation above the base flood level. The New York State Canal Corporation monitors and controls Oneida Lake's water levels to decrease flood damage within the basin and lessen property erosion from winter ice.

3. This policy shall apply to the planning, siting, and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

4. In determining whether or not non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

3.4 General Policy

Policy 18:

To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the waterfront revitalization area must give full consideration to those interests and to the safeguards which the State has established to protect valuable inland waterway resource areas.

Explanation of Policy

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

3.5 Public Access Policies

Policy 19:

Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Explanation of Policy

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. The imbalance among these factors is the most significant in the State's urban areas. Because this is often due to access-related problems, priority will be given to improving physical access to existing and potential shorefront recreation sites within the heavily populated urban shorefront areas of the State and to increasing the ability of urban residents to get to shorefront recreation areas by improved public transportation. The particular water-related recreation resources and facilities which will receive priority for improved access are public beaches, boating facilities, fishing areas and waterfront parks. In addition, because of the greater competition for waterfront locations within urban areas, the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will encourage mixed use areas and multiple use of facilities to improve access. Specific sites requiring access improvements and the relative priority the program will accord to each will be identified in the Public Access Planning Process.

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

1. The existing access from adjacent or proximate public lands or facilities to public water related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access, or unless such actions are found to be necessary by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet system-wide objectives.

The following is an explanation of the terms used in the above guidelines:

- a) Access - the ability and right of the public to reach and use public inland waterway lands and waters.
- b) Public water related recreation resources of facilities - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.

-
- c) Public lands or facilities - lands or facilities held by State or local government in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.
 - d) A reduction in the existing level of public access - includes, but is not limited to, the following:
 - (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
 - (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting system-wide objectives.
 - (3) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (4) There are substantial increases in the following: already existing special fares (not to include regular fares in any instance) of public transportation to a public water-related recreation resource or facility; and/or admission fees to such a resource or facility except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary and an analysis shows that such increases will significantly reduce usage by individuals or families and incomes below the State government established poverty level.
 - e) An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:
 - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities
 - (2) Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility
 - (3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities
2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:

- a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
3. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.
4. In their plans and programs for increasing public access to public water-related resources and facilities, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation, within the boundaries of the Federal-Aid Metropolitan urban area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.

Policy 20:

Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.

Explanation of Policy

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

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

While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of

the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile inland waterway resources.

The regulation of projects and structures, proposed to be constructed in or over lands underwater, is necessary to responsibly manage such lands, to protect vital assets held in the name of the people of the State, to guarantee common law and sovereign rights, and to ensure that waterfront owners' reasonable exercise of riparian rights and access to navigable waters shall be consistent with the public interest in reasonable use and responsible management of waterways and such public lands for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

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

1. Existing access from adjacent or proximate public lands or facilities to existing public inland waterway lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public inland waterway lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional or Statewide public benefit or, in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above guidelines:

- a) (See definitions under first policy of "access" and "public lands or facilities").
- b) A reduction in the existing or anticipated level of public access - includes, but is not limited, to the following:
 - (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (2) Pedestrian access is diminished or blocked completely by public or private development.
- c) An elimination of the possibility of increasing public access in the future - includes, but is not limited to, the following:
 - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public inland waterway lands and /or waters

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

to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

7. In making any grant, lease, permit, or other conveyance of land now or formerly underwater, there shall be reserved such interests or attached such conditions to preserve the public interest in the use of state-owned lands underwater and waterways for navigation, commerce, fishing, bathing, recreation, environmental protection, and access to the navigable waters of the state. In particular, the granting of publicly owned underwater or formerly underwater lands to private entities will be limited to exceptional circumstances only.

3.6 Recreation Policies

Policy 21:

Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the shorefront.

Explanation of Policy

Water-related recreation includes such obviously water dependent activities as boating, swimming, and fishing as well as certain activities which are enhanced by a shorefront location and increase the general public's access to the shorefront such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of shorefront scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important waterfront revitalization area resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-water-dependent uses, including non-water-related recreation uses. In addition, water dependent recreation uses shall have a higher priority over water-enhanced recreation use. Determining a priority among water-dependent uses will require a case by case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the shorefront can be provided by new or existing public transportation services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The Department of State, working with the Office of Parks, Recreation, and Historic Preservation and with local governments, will identify communities whose use of the shore has been so restricted and those sites shoreward of such developments which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other inland waterway resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pump-out facilities. There is a need for a better positional pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

Water-related off-road recreational vehicle use is an acceptable activity; provided no adverse environmental impacts occur. Where adverse environmental impact will occur, mitigating measures will be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced. Ground water contamination presents a threat to Fire Island National Seashore water resources.

Policy 22:

Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

Explanation of Policy

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

The types of development which can generally provide water-related recreation as a multiple-use include, but are not limited to:

- parks
- highways
- power plants
- utility transmission rights of way
- sewage treatment facilities
- mental health facilities*
- hospitals*

- prisons*
- schools, universities*
- military facilities*
- nature preserves*
- large residential subdivisions (50 units)
- shopping centers
- office buildings

** The types of recreation uses likely to be compatible with these facilities are limited to the more passive forms, such as trails or fishing access. In some cases, land areas not directly or immediately needed by the facility could be used for recreation.*

Prior to taking action relative to any development, State agencies should consult with the State Office of Parks, Recreation, and Historic Preservation, and if there is an approved local waterfront program, with the municipality in which the development is to locate, to determine appropriate recreation uses. The agency should provide OPRHP and the municipality with the opportunity to participate in project planning.

Appropriate recreational uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost.

In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreation facilities.

Whenever a proposed development would be consistent with LWRP policies and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the shore, then such development should be encouraged to locate adjacent to the shore (this situation would generally only apply within the more developed portions of urban areas).

3.7 Historic and Scenic Resources Policies

Policy 23:

Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation.

Explanation of Policy

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection

must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must include active efforts, when appropriate, to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the waterfront revitalization area it will actively promote the preservation of historic and cultural resources which have a waterfront relationship.

The structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation comprise the following resources:

- (a) A resource, which is in a federal or State park established, among other reasons, to protect and preserve the resource.
- (b) A resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places.
- (c) A resource on or nominated to be on the State Nature and Historic Preserve Trust.
- (d) An archaeological resource which is on the State Department of Education's inventory of archaeological sites.
- (e) A local landmark, park, or locally designated historic district which is located within the boundary of an approved local waterfront revitalization program.
- (f) A resource that is a significant component of an Urban Cultural Park.

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas or sites. A significant adverse change includes but is not limited to:

- (a) Alteration of or addition to one or more of the architectural, structural, ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archaeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials, entry ways and doors, fenestration, lighting fixtures, roofing, sculpture and carving, steps, rails, fencing, windows, vents and other openings, grillwork, signs, canopies, and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)

- (b) Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archaeological resource or component thereof, to include all those features described in (a) above plus any other appurtenant fixtures associated with a building, structure or earthwork.
- (c) All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and location relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts, this would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthworks, or component thereof of a recognized historic, cultural or archaeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archaeological resource which does not involve a significant adverse change to the resource, as defined above.

Policy 24:

Prevent impairment of scenic resources of statewide significance.

Explanation of Policy:

Under the current conditions this policy does not apply to the Village of Sylvan Beach.

The Waterfront Revitalization of Coastal Areas and Inland Waterways Program will identify on the coastal area map scenic resources of statewide significance. If applicable, a list of preliminarily identified resources appears in the Appendix. The following general criteria will be combined to determine significance:

Quality	The basic elements of design (i.e., two-dimensional line, three-dimensional form, texture and color) combine to create all high quality landscapes. The water, landforms, and human-made components of scenic coastal landscapes exhibit variety of line, form, texture and color. This variety is not, however, so
---------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

great as to be chaotic. Scenic coastal landscapes also exhibit unity of components. This unity is not, however, so complete as to be monotonous: Example: the Thousand Islands where the mix of water, land, vegetative and human-made components creates interesting variety, while the organization of these same components creates satisfying unity.

Often, high quality landscapes contain striking contrasts between lines, forms, textures and colors. Example: A waterfall where horizontal and vertical lines and smooth and turbulent textures meet in dramatic juxtaposition.

Finally, high quality landscapes are generally free of discordant features, such as structures or other elements which are inappropriate in terms of siting, form, scale, and/or materials.

Uniqueness	The uniqueness of high quality landscapes is determined by the frequency of occurrence of similar resources in a region of the State or beyond.
Public Accessibility	A scenic resource of significance must be visually and, where appropriate, physically accessible to the public.
Public Recognition	Widespread recognition of a scenic resource is not a characteristic intrinsic to the resource. It does, however, demonstrate people's appreciation of the resource for its visual, as well as evocative, qualities. Public recognition serves to reinforce analytic conclusions about the significance of a resource.

When considering a proposed action, agencies shall first determine whether the action could affect a scenic resource of statewide significance. This determination would involve: 1) a review of the coastal area map to ascertain if it shows an identified scenic resource which could be affected by the proposed, and 2) a review of the types of activities proposed to determine if they would be likely to impair the scenic beauty of an identified resource. Impairment will include: (i) the irreversible modification of geologic forms; the destruction or removal of vegetation; the modification, destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

The following siting and facility-related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly. Guidelines include:

- siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;

- clustering or orienting structures to retain views, save open space and provide visual organization to a development;
- incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
- removing deteriorated and/or degrading elements;
- maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;
- maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of inland waterways;
- using appropriate materials, in addition to vegetation, to screen unattractive elements;
- using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

Policy 25:

Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the waterfront revitalization area.

Explanation of Policy

When considering a proposed action which would not affect a scenic resource of statewide significance, agencies shall ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the waterfront revitalization area. Activities which could impair or further degrade scenic quality are the same as those cited under the previous policy, i.e., modification of natural landforms, removal of vegetation, etc. However, the effects of these activities would not be considered as serious for the general waterfront revitalization area as for significant scenic areas.

The siting and design guidelines listed under the previous policy should be considered for proposed actions within the waterfront revitalization area. More emphasis may need to be placed on removal of existing elements, especially those which degrade, and on addition of new elements or other changes which enhance. Removal of vegetation at key points to improve visual access to inland waterways is one such change which might be expected to enhance scenic quality.

3.8 Agricultural Lands Policy

Policy 26:***Conserve and protect agricultural lands in the waterfront revitalization area.***Explanation of Policy

The first step in conserving agricultural lands is the identification of such lands. The Department of State is mapping all important agricultural lands within the State. The following criteria have been used to prepare the maps, and the mapped information will be incorporated in the New York State Coastal Resources Inventory and on the Coastal Area Map.

Land meeting any of the following criteria is being mapped.

1. Land which meets the definition of the U.S. Department of Agriculture as being prime farmland, unique farmland, or farmland of statewide importance.
 - a. Prime farmland is defined by USDA Soil Conservation Service in CRF #7 Agriculture Part 657.5(a), January 1979. A list of the soil associations that meet this definition has been prepared for each county.
 - b. Unique farmland is defined by USDASCS in CRF #7 Agriculture Part 657.5(b). In the coastal area of New York State all fruit and vegetable farming meets the terms of the definition.
 - c. Farmland of Statewide importance is defined by USDASCS in CRF #7 Agriculture Part 656.5(c). Lists of soil associations which constitute farmland of statewide importance have been prepared for each county.
2. Active farmland within Agricultural Districts. The maps of each Agricultural District show land committed by farmers. This is the land that will be mapped as active farmland. The district boundary will also be shown.
3. Areas identified as having high economic viability for farming. Any farm not identified above in 1 and/or 2, and which is located in an area identified as having "high viability" on the map entitled "Economic Viability of Farm Areas" prepared by the Office of Planning Coordination in May, 1969. This would be the basis for initial identification of areas having high economic viability for farming. Areas will be added and/or deleted based on comments from the agricultural community.
4. Areas adjacent to land identified above in 1, when are being farmed and are part of a farm with identified important agricultural lands.

5. Prime farmland, unique farmland, and farmland of statewide significance will not be identified as important agricultural land whenever it occurs as parcels of land less than 25 acres in size and these small parcels are not within a mile of areas of active farming.

Given the Program's application to a narrow strip of land, implementing a policy of promoting agricultural use of land must, to be practical, concentrate on controlling the replacement of agricultural land uses with non-agricultural land use as the result of some public action. The many other factors such as markets, taxes, and regulations, which influence the viability of agriculture in a given area, can only be addressed on a Statewide or national basis.

The Program policy requires a concern for the loss of any important agricultural land. However, the primary concern must be with the loss of agricultural land when that loss would have a significant effect on an agricultural area's ability to continue to exist, to prosper, and even to expand. A series of determinations are necessary to establish whether a public action is consistent with the conservation and protection of agricultural lands, or whether it is likely to be harmful to the health of an agricultural area. In brief, these determinations are as follows: First, it must be determined whether a proposed public action would result in the loss of important agricultural lands as mapped. If it would not result, either directly or indirectly, in the loss of identified important agricultural lands, then the action is consistent with the policy on agriculture. If it is determined that the action would result in a loss of identified important agricultural lands, but that loss would not have an adverse effect of the viability of agriculture in the surrounding area, then the action may also be consistent with this policy. However, in that case, the action must be undertaken in a manner that would minimize the loss of important farmland. If the action is determined to result in a significant loss of important agricultural land, that is if the loss is to a degree sufficient to adversely affect surrounding agriculture's viability -- its ability to continue to exist, to prosper, and even to expand -- then the action is not consistent with this agriculture policy.

The following guidelines define more fully what must be considered in making the above determinations:

- A. A public action would be likely to significantly impair the viability of an agricultural area in which identified important agricultural lands are located if:
 1. The action would occur on identified important agricultural land and would:
 - (a) Consume more than 10% of the land of an active farmⁱ containing such identified important agricultural lands
 - (b) Consume a total of 100 acres or more of identified important agricultural land, or
 - (c) Divide an active farm with identified important agricultural land into two or more parts, thus impeding efficient farm operation

-
2. The action would result in environmental changes which may reduce the productivity or adversely affect the quality of the product of any identified important agricultural lands.
 3. The action would create real estate market conditions favorable to the conversion of large areas of identified important agricultural land to non-agricultural uses. Such conditions may be created by:
 - (a) Public water or sewer facilities to serve non-farm structures.
 - (b) Transportation, improvements, except for maintenance of, and safety improvements to, existing facilities that serve non-farm or non-farm related development
 - (c) Major non-agribusiness commercial development adjacent to identified agricultural lands
 - (d) Major public institutions
 - (e) Residential uses other than farm dwellings
 - (f) Any change in land use regulations applying to agricultural land which would encourage or allow uses incompatible with the agricultural use of the land
- B. The following types of facilities and activities should not be construed as having adverse effects on the preservation of agricultural land:
1. Farm dwellings, barns, silos, and other accessory uses and structures incidental to agricultural production or necessary for farm family supplemental income.
 2. Agribusiness development, which includes the entire structure of local support services and commercial enterprises necessary to maintain an agricultural operation, e.g., milk hauler, grain dealer, farm machinery dealer, veterinarian, food processing plants.
- C. In determining whether an action that would result in the loss of farmland is of overriding regional or statewide benefit, the following factors should be considered:
1. For an action to be considered overriding, it must be shown to provide significantly greater benefits to the region or State than are provided by the affected agricultural area (not merely the land directly affected by the action). In determining the benefits of the affected agriculture to the region or State, consideration must be given to its social and cultural value, its economic viability, its environmental benefits, its existing and potential contribution to food or fiber production in the State and any State food policy, as well as its direct economic benefits.

-
- a. An agricultural area is an area predominantly in farming and in which the farms produce similar products and/or rely on the same agribusiness support services and are to be a significant degree economically interdependent. At a minimum, this area should consist of at least 500 acres of identified important agriculture land. For the purpose of analyzing impacts of any action on agriculture, the boundary of such area need not be restricted to land within the waterfront revitalization area. If the affected agricultural lands lie within an agricultural district then, at a minimum, the agricultural area should include the entire agricultural district.
 - b. In determining the benefits of an agricultural area, its relationship to agricultural lands outside the area should also be considered.
 - c. The estimate of the economic viability of the affected agricultural area should be based on an assessment of:
 - i. soil resources, topography, conditions of climate and water resources
 - ii. availability of agribusiness and other support services, and the level and condition of investments in farm real estate, livestock and equipment
 - iii. the level of farming skills as evidenced by income obtained, yield estimates for crops, and costs being experienced with the present types and conditions of buildings, equipment, and cropland
 - iv. use of new technology and the rates at which new technology is adopted
 - v. competition from substitute products and other farming regions and trends in total demand for given products
 - vi. patterns of farm ownership for their effect on farm efficiency and the likelihood that farms will remain in use
 - d. The estimate of the social and cultural value of farming in the area should be based on an analysis of:
 - i. the history of farming in the area
 - ii. the length of time farms have remained in one family
 - iii. the degree to which farmers in the area share a cultural or ethnic heritage
 - iv. the extent to which products are sold and consumed locally

-
- v. the degree to which a specific crop(s) has become identified with a community
 - e. An estimate of the environmental benefits of the affected agriculture should be based on analysis of:
 - i. the extent to which the affected agriculture as currently practiced provides a habitat or food for wildlife
 - ii. the extent to which a farm landscape adds to the visual quality of an area
 - iii. any regional or local open space plans, and degree to which the open space contributes to air quality
 - iv. the degree to which the affected agriculture does, or could, contribute to the establishment of a clear edge between rural and urban development
 - D. Whenever a proposed action is determined to have an insignificant adverse effect on identified important agricultural land or whenever it is permitted to substantially hinder the achievement of the policy according to DOS regulations, Part 600, or as a result of the findings of an EIS, then the required minimization should be undertaken in the following manner:
 - 1. The proposed action shall, to the extent practicable, be sited on any land not identified as important agricultural, or, if it must be sited on identified important agricultural land, sited to avoid classes of agricultural land according to the following priority:
 - a. prime farmland in orchards or vineyards
 - b. unique farmland in orchard or vineyards
 - c. other prime farm land in active farming
 - d. other unique farmland
 - e. farmland of Statewide importance in active farming.
 - f. active farmland identified as having high economic viability
 - g. prime farmland not being farmed
 - h. farmland of Statewide importance not being farmed
 - 2. To the extent practicable, agricultural use of identified important agricultural land not directly necessary for the operation of the proposed non-agricultural action should be provided for through such means as lease arrangements with farmers, direct undertaking of agriculture, or sale of surplus
-

land to farmers. Agricultural use of such land shall have priority over any other proposed multiple use of the land.

3.9 Energy and Ice Management Policies

Policy 27:

Decisions on the siting and construction of major energy facilities in the shorefront area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.

Explanation of Policy

New York's overall annual energy demand has begun to flatten over time, in part due to the success of State and utility energy efficiency programs. However, peak load (the highest amount of energy consumption in a given year) has continued to increase at a more rapid pace. Renewable power sources—hydro, solar, wind, and other carbon-free solutions—also continue to grow as a share of the total energy produced in the State. Significant investments in the billions of dollars are needed to replace New York's aging electric transmission and distribution infrastructure just to meet currently projected energy demand. To respond to these significant shifts in the State's energy infrastructure, State energy policies are being designed to maintain energy system reliability during peak load in ways that improve the grid's overall system efficiency, from both energy transmission and capital investment perspectives.

The New York State energy planning process provides a comprehensive framework for improving the State's energy system, addressing issues such as environmental impacts, resiliency, and affordability. Key areas of focus for New York's energy planning and implementation policies include integration of renewable energy generation; local energy generation that can foster both economic prosperity and environmental stewardship; seeking innovative energy solutions across the State's public facilities and operations; increasing energy efficiency; and decreasing greenhouse gas emissions. New York's energy policy is also central to how the State responds to the challenges presented by a changing climate. New York State's energy planning recognizes that extreme weather events demand more resilient energy infrastructure, and that climate change presents both challenges and opportunities to lead and innovate.

A determination of public need for energy is the first step in the process for siting new facilities. The directives for determining this need are contained primarily in Article 6 of the New York State Energy Law. That Article requires the preparation of a State Energy Plan. With respect to transmission lines and the siting of major electric generating facilities, Articles 7 and 10 of the State's Public Service Law require additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for providing additional electric capacity. The policies derived from the siting regulations under these Articles are entirely consistent with the general coastal zone

policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Law. That law is used for the purposes of ensuring consistency with the Coastal Management Program.

The Department of State will present testimony for the record during relevant certification proceedings under Articles 7 and 10 of the Public Service Law when appropriate; and use the State SEQRA and DOS regulations to ensure that decisions regarding other proposed energy facilities (not subject to Articles 7 and 10 of the Public Service Law) that would affect the shorefront area are consistent with LWRP policies.

Policy 28:

Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats or increase shoreline erosion or flooding.

Explanation of Policy

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydro-electric power, fish and wildlife and their habitats as will be identified in Coastal Area Maps, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

Policy 29:

The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.

Explanation of Policy

Under the current conditions this policy does not apply to the Village of Sylvan Beach.

3.10 Water and Air Resources Policies

Policy 30:

Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into inland waterways will conform to State and National water quality standards.

Explanation of Policy

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

Policy 31:

State policies and management objectives of approved local Waterfront Revitalization Programs will be considered while reviewing inland waterway classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State LWRP policies shall be factored into the review process for inland waterways. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting". Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," and all new waste discharges must receive "best practicable treatment." However, along stream segments classified as "water quality limiting", waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development.

Policy 32:

Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.

Explanation of Policy

Alternative waste systems are not permitted in communities adjacent to Oneida Lake and thus, this policy does not apply to the Village of Sylvan Beach. Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These types of systems are often more cost effective in smaller, less densely populated communities and for which conventional facilities are too expensive.

Policy 33:

Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Explanation of Policy

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, non-structural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

Policy 34:

Discharge of waste materials into inland waterways from vessels subject to State jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.

Explanation of Policy

All untreated sanitary waste from vessels is prohibited from being discharged into the State's inland waterways. Where inland waterway resources or activities require greater protection than afforded by this requirement the State may designate vessel waste no discharge zones. Within these no discharge zones the discharge of all vessel waste whether treated or not is prohibited. A determination from EPA that an adequate number of vessel waste pump-out stations exists is necessary before the State can designate a no discharge zone. The State prepared a Clean Vessel Act Plan which identifies the State's waters for which no discharge zones are needed and the number of vessel waste pump outs

required to obtain the determination from EPA. The discharge of other wastes from vessels is limited by State law.

Policy 35:

Dredging and filling in inland waterways and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

Explanation of Policy

Dredging, filling, and dredge material disposal are activities that are needed for waterfront revitalization and development, such as maintaining navigation channels at sufficient depths, pollutant removal, and other management needs. Such projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important inland waterway resources. Often these adverse effects can be minimized through careful design and timing of the dredging or filling activities, proper siting of dredged material disposal sites, and the beneficial use of dredged material. Such projects shall only be permitted if they satisfactorily demonstrate that these anticipated adverse effects have been reduced to levels which satisfy State permit standards set forth in regulations developed pursuant to Environmental Conservation Law, (Articles 15, 24, 25, and 34), and are consistent with policies pertaining to the protection and use of inland waterway resources (LWRP policies 7, 15, 19, 20, 24, 26, and 44).

Policy 36:

Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into inland waterways; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

Explanation of Policy

See Policy 39 for definition of hazardous materials.

Policy 37:

Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into inland waterways.

Explanation of Policy

Best management practices used to reduce these sources of pollution could include, but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques.

Policy 38:

The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

Explanation of Policy

Surface and groundwater are the principal sources of drinking water in the State, and therefore must be protected. Since Long Island's groundwater supply has been designated a "primary source aquifer," all actions must be reviewed relative to their impacts on Long Island's groundwater aquifers.

Policy 39:

The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within the waterfront revitalization area will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources.

Explanation of Policy

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

Hazardous wastes are unwanted byproducts of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901[3]), as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: 1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or 2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed, transported or otherwise managed." A list of hazardous wastes (NYCRR Part 366) will be adopted by DEC within 6 months after EPA formally adopts this list. (currently contained in 6 NYCRR Part 371). Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include: filling of wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

Policy 40:

Effluent discharged from major steam electric generating and industrial facilities into inland waterways will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

Explanation of Policy

The State Board on Electric Generation Siting and the Environment must consider a number of factors when reviewing a proposed site for facility construction. One of these factors is that the facility shall “not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health, and public enjoyment of the receiving waters.” The effect of thermal discharges on water quality and aquatic organisms is considered by the siting board when evaluating any applicant's request to construct a new steam electric generating facility.

Policy 41:

Land use or development in the waterfront revitalization area will not cause national or State air quality standards to be violated.

Explanation of Policy

New York's Waterfront Revitalization of Coastal Areas and Inland Waterways Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the waterfront revitalization area.

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

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

Policy 42:

Waterfront revitalization program policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.

Explanation of Policy

The policies of the State and local coastal and inland waterway management programs concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action to change prevention of significant deterioration land classifications along inland waterways or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon the Waterfront Revitalization of Coastal Areas and Inland Waterways Program and LWRP policies.

Policy 43:

Land use or development in the waterfront revitalization area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.

Explanation of Policy

The Waterfront Revitalization of Coastal Areas and Inland Waterways Program incorporates the State's policies on acid rain. As such, the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of inland waterway fisheries, wildlife, agricultural, scenic and water resources.

3.11 Wetland Policies

Policy 44:

Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.

Explanation of Policy

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semiaquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the NYS Protection of Waters Act (Water Resources Law, Environmental Conservation Law Article 15).

The benefits derived from the preservation of freshwater wetlands include but are not limited to:

- habitat for wildlife and fish, and contribution to associated aquatic food chains
- erosion, flood and storm control
- natural pollution treatment

-
- groundwater protection
 - recreational opportunities
 - educational and scientific opportunities;
 - aesthetic open space in many otherwise densely developed areas
-

Section 4: Proposed Land and Water Uses and Projects

This section of the LWRP describes the proposed land and water uses and proposed projects within the Sylvan Beach WRA. They will help to shape the Village into a pleasing and attractive destination for private investment and improve the quality of life for both residents and visitors.

Land uses in the Sylvan Beach LWRP are proposed to protect waterfront resources, maintain the existing character of the community, and accommodate future development. Other land and water uses have been proposed to improve opportunities for public access, whether this means making improvements at existing parks and wetlands or providing new opportunities for people to engage the waterfront. Emphasis is also placed on connecting existing parks and other waterfront facilities through improved bicycle and pedestrian facilities. The Village's long-range goal for the WRA is to make necessary improvements that will maintain and improve the quality of life for residents, strengthen recreational uses to enhance public access and use of the waterfront, and support downtown economic development and tourism.

This section also includes plans for the continued management of the Village's shore areas around Oneida Lake. Recreational boating, fishing, and swimming and public bathing are the primary water uses along the Sylvan Beach shoreline.

4.1 Future Land Use

Land use is an important component of an LWRP. It is good practice to not only review existing land use but also to discuss it in the context of the community's vision. This process can lead to changes in land and water uses. For the purpose of this document, the existing land use is to remain the same. The Village is planning to develop a comprehensive plan soon, and at that time future land use will be re-evaluated.

4.2 Harbor Management and Water Uses

Water use and harbor management are important considerations for an LWRP. It is good practice to review existing water uses and determine if there are necessary changes in water uses or additional regulations to better manage water uses. The Village maintains that they currently have no oversight over water uses or harbor management. For the purpose of this document, the existing water uses and regulations that are in place are to remain the same.



Map 4.1 - Proposed Projects
Village of Sylvan Beach Local Waterfront Revitalization Program

4.3 Proposed Projects

The following projects were developed through community input from the first community workshop as well as feedback and insights from Committee members. Business owners and key local stakeholders were also engaged during the creation of these recommendations. The first seven listed projects are also identified on Map 4.1 on the previous page.

Each of the projects includes a combination of the following details: project description and benefits, LWRP policies that will be implemented, available project graphics, project location within the WRA, estimated cost, potential funding sources, agencies involved in permitting, potential timeframe, and entities responsible for implementation. If one or more of these details were not necessary for an individual project, then they were not included for that project.

1. Repair Sylvan Beach Pier as a safe pedestrian facility

Project Description and Benefits:

The development of the pier, which is located just west of Canal Street in Oneida Lake, is one of the highest priorities for the Village of Sylvan Beach. This became abundantly clear through conversations with both the WAC members as well as the community workshop, where the pier was discussed by most of the attending community members.

Physical improvements to the pier should include a safe and functional walkway should be constructed on the seawall. This would be ideal for residents and visitors looking to take in the views of the lake and the sunsets and would also be a good location for people to fish. This walkway could also include benches and seating areas, lighting, and other pedestrian-level amenities. Any restoration should also address and define navigation channels for boaters accessing or leaving the canal.



This image shows the pedestrian facilities along the canal in the Village of Sylvan Beach. The pier extends southwest into Oneida Lake near the top of this image. Restoration would increase public access to and enjoyment of the waterfront.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to the inland waterways.
- Policy 4: Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of traditional uses and activities which have provided such areas with their unique maritime identity.
- Policy 9: Expand recreational use of fish and wildlife resources in and along inland waterways by increasing access to existing resources, supplementing existing stocks, and developing new resources.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities
- Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the shorefront.
- Policy 25: Protect, restore, or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the waterfront revitalization area.

Project Location within the WRA:

The pier is in the southwestern portion of the Village adjacent to the Village-owned Sunset Park. The southwestern edge of the WRA boundary follows along the pier into the Lake.

Estimated Cost:

The repair and restoration of the pier could cost between \$1,000,000-\$2,000,000.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYSDEC)
- New York State Canal Corporation

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation:

The NYS Canal Corporation owns the pier and will be the entity responsible for implementation, but the Village will coordinate with them.

2. *Reconstruct the riprap along Sunset Park to improve navigation and erosion control*

Project Description and Benefits:

Riprap and stone structures along Sunset Park need physical refurbishment. Erosion and winter storms contribute to the current state of disrepair. The Village should also strategize and plan for future maintenance and upkeep of the riprap. Consideration should also be given to the pursuit of a lakefront marina adjacent to the shore.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 13: The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Project Location within the WRA:

The riprap is located in the southwestern portion of the Village adjacent and runs along the western edge of the Village-owned Sunset Park.

Estimated Cost:

The cost of reconstructing the riprap could be between \$250,000-\$350,000.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYSDEC)
- New York State Canal Corporation

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village of Sylvan Beach will be the entity responsible for implementation. They own the Sunset Park parcel adjacent to the riprap.

3. *Develop Sunset Park and Amusement District*

Project Description and Benefits:

Sunset Park and Sylvan Beach's amusement district need rehabilitation and redevelopment. This is another area of focus that resulted from conversations with WAC and community members. Redevelopment should include the following improvements:

a. **Construct a Welcome Center for the Village**

This should include improvements and renovations to the existing structure at Sunset Park. Additional expansion to the existing bathhouse should include a welcome center and information center that could cater to new full-time residents, new seasonal residents, and the Village's many visitors. The Village received some funding to refurbish the existing structure and construct a Sylvan Beach Welcome Center. An engineering firm is working with the Village to develop the construction plans. The welcome center will likely include new restrooms and a pavilion.

b. **Conduct a study to identify an appropriate location, size, and estimated cost of a waterfront-adjacent amphitheater at Sunset Park**

A study should be carried out to determine an appropriate and feasible location to site an amphitheater and performance area within Sunset Park. This study should also include cost estimates for construction of the amphitheater and a detailed site plan including size and dimensions of the structure. This amphitheater should have a performance area with a canopy to provide shade and tiered levels for seating. The performance area should be large enough to provide space for a moveable stage for larger performances. A small structure for storing materials and supplies could also be included.



This amphitheater located in Rancho Santa Margarita in California provides a visual representation of what could be developed at Sunset Park in Sylvan Beach.

c. **Expand the Midway**

The amusement district could be expanded to include currently underutilized and vacant spaces including the corner of Sunset Avenue and Spencer Avenue, and the green space that starts at the southern end of Park Avenue. Potential new amenities could include additional benches and seating areas, bicycle parking, bicycle facilities on Spencer Avenue and Sunset Avenue, and clearer pedestrian connections and facilities on Spencer Avenue and Sunset Avenue.

d. Improve power at Midway Mall

The district needs improved power. The Village should consider locating a power station in the vicinity of the amusement district to help alleviate this issue.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 4: Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of traditional uses and activities which have provided such areas with their unique maritime identity.
- Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the shorefront.
- Policy 27: Decisions on the siting and construction of major energy facilities in the waterfront revitalization area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.
- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into designated inland waterways.

Available Project Graphics:

The general location of the four projects listed as 3a, 3b, 3c, 3d are shown on Map 4.

Project Location within the WRA:

The Sunset Park Amusement District is located north of Canal Street, east of the lake, and west of Bridge Street. Sylvan Beach Amusement Park, the Yesterday's Royal property, Sunset Park, and a portion of Main Street Park are all located in this area.

Estimated Cost:

- 3a. Bathhouse and Welcome Center: \$1,000,000-\$1,250,000
- 3b. Study for Amphitheater: \$30,000-\$50,000
- 3c. Expand the Midway:
 - Cost for this project will depend on the degree to which new amenities are included:
 - New benches – \$1,000-\$2,500 per bench
 - Bicycle parking – \$500-\$1,500 per bike rack
 - Bicycle facilities – \$100,000-\$150,000
 - Pedestrian facilities – \$400,000-\$500,000
- 3d. Improve power and drainage: \$400,000-\$500,000

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Energy Research and Development Authority (NYSERDA)
- New York State Department of Transportation (NYSDOT)
- New York State Parks, Recreation, and Historic Preservation

Potential Timeframe:

This project could potentially be phased to address each individual subsection. The Village should pursue the first phase of this project in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village of Sylvan Beach will be the primary entity responsible for implementation. The Village owns Sunset Park as well as the adjacent parking lot. Sylvan Beach may need to coordinate with other nearby private landowners for Midway Mall expansion and improved power and drainage in the amusement district.

4. Improve 16th Avenue Municipal Lot

The parking lot adjacent to 16th and 17th Avenue off Main Street is municipally-owned and could be improved. Potential improvements include new plantings and improved landscaping in green space, screening with bushes or trees along Main Street green space, repaving, public parking wayfinding signage, and the installation of LED lighting. As redevelopment continues to be pursued in the Commercial Resort (CR) District, overflow parking for beach-goers will become a higher priority. The 16th Avenue lot is near several of established rights-of-way that have been identified as potential public access points to the beach.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Estimated Cost:

- With an estimated cost of \$1.50-\$2.00 per square foot, repaving the 1.848 acre lot off 16th Avenue would cost between \$120,000 and \$170,000.
- LED Lighting for the parking lot could cost between \$250-\$500 per light fixture.
- Landscaping for the parking lot could cost between \$2,500-\$5,000
- Wayfinding signage for the parking lot could cost between \$4,000-\$5,000 per sign.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village of Sylvan Beach will be the primary entity responsible for implementation.

5. Develop Squires Landing**Project Description and Benefits:**

Squire's Landing is located at the bend in Vienna Road near Main Street and downtown. There is now a kayak dock, and the Village aims to make the area a public place providing access to Fish Creek. Public non-motorized watercraft access should be prioritized here. Existing docks could also be expanded to fit these facilities. The green area on this parcel should also be developed to include benches and other forms of passive recreation for people to enjoy and engage with Fish Creek. A traffic study should also be carried out to determine the feasibility and demand for driveway improvements and additional parking near Squire's Landing.



Squire's Landing is publicly owned land that has access to Fish Creek. The land currently is under-developed and has the potential to provide new waterfront access and amenities.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to inland waterways.
- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.

Project Location within the WRA:

This project is located adjacent to Fish Creek off Lakehurst Avenue and Vienna Road.

Estimated Cost:

This project could cost between \$100,000-\$200,000 inclusive of benches, driveway improvements, signage, landscaping, and docks.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYSDEC)

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation: The Village will be the primary entity involved in implementation of this project but should coordinate with the Department of Environmental Conservation.

6. Establish Public Access to the Beach Via Established Rights-of-way**Project Description and Benefits:**

There are many established public streets that could provide public access to the beach with proper directional signage. These streets should be emphasized public rights-of-way to increase their use as public accessways. The Village should continue to prohibit parking on or in front of these streets.

LWRP Policies Implemented:

- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.

Project Location within the WRA:

There are several public streets north of Lakehurst Avenue that end at the beach including but not limited to 13th Avenue, 14th Avenue, Ron Ell Street, and 17th Avenue.

Potential Timeframe:

This project should be pursued in the long-term (5-10 years). This project should be pursued concurrent with expanding the beachfront.

Entities Responsible for Implementation:

The Village will be the primary entity involved in implementation of this project.

7. Encourage Low-intensity Recreational Development In and Around Wetlands



This is a visual representation of a passive boardwalk trail through wetlands and provides an example of recreational development that could occur in the Sylvan Beach wetlands.

Project Description and Benefits:

Sylvan Beach has several large wetland habitats that could be ideal for the development of low-intensity recreation. This can include sensitively designed hiking trail, walking paths, and multi-use trails that run directly through the wetlands.

There is an existing although defunct railbed in the northwest corner of the park near the municipal offices that could connect to two of the large wetlands in the Village. The Village should explore this option in the future.

The image above is an example of a type of low-intensity wetland trail that could provide a useful recreation option for Sylvan Beach. This image was

included in an image preference survey that was given to community members who attended the public workshop in September 2017. The image was one of the five images that was ranked highest by survey respondents.

LWRP Policies Implemented:

- Policy 44: Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.

Project Location within the WRA:

There are three wetland areas are shown on Map 4, and all of them should be considered for various levels of low-intensity recreational development.

Estimated Cost:

If a boardwalk trail is desired, the Village should identify potential trail length and location within the wetlands and should consult a structural engineer to determine a more detailed cost estimate. A wetland boardwalk could range between \$50-\$100 per square foot.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYSDEC)
- US Fish and Wildlife Service

Potential Timeframe:

This project should be pursued as a long-term project (5-10 years)

Entities Responsible for Implementation:

The Village would be the entity primarily responsible for implementation, but they would have to acquire property from private property owners. The Village would also have to coordinate with NYSDEC and other State and Federal agencies.

8. Resurface Municipal Parking Lots**Project Description and Benefits:**

Many of the municipally-owned and operated parking lots are in some state of disrepair and could benefit from resurfacing and repaving. This includes the municipal lot on the corner of Vienna Road and Main Street (3a on the map) and the beach-adjacent parking lot at the end of Canal Street (3b on the map). All parking lots should be resurfaced using permeable materials.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Project Location within the WRA:

There are two parking lots that are identified on the map 4.1 (3a and 3b) that need resurfacing.

Estimated Cost:

Repaving of public lots could cost between \$1.50-\$2.00 per square foot.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation:

The Village of Sylvan Beach will be the entity responsible for implementation.

9. Create a Streetscape Plan**Project Description and Benefits:**

Streetscaping was heavily discussed at the first community workshop. Many community members remarked that a streetscape plan for Main Street was imperative for the future success and conditions of the corridor. A well-designed streetscape can make a significant contribution in developing a strong sense of place and a vibrant public realm. Creating a vibrant streetscape is less about a beautiful aesthetic than it is about evoking a warm and comfortable feeling on the street. An inviting streetscape sends a message to residents and visitors that the street is the primary public space to be enjoyed by motorists, bicyclists, and pedestrians.

The following components should be considered when developing an overall streetscape plan for the Village's Main Street:

a. **Pedestrian-level lighting**

If funding for a streetscape enhancement program is attained, Sylvan Beach should consider the best method for replacing existing street lighting with pedestrian-level lighting that is more engaging to people walking and enjoying Main Street. Street lighting can add immense benefits to an overall streetscape, especially to pedestrians. This lighting will help make Main Street feel safer, while providing more uniqueness and character to the streetscape.

b. **Benches, trash receptacles, and bicycle racks**

Strategically placed benches, trash receptacles, and bicycle racks provide needed amenities for residents and Main Street visitors while adding more color and life to the overall streetscape. New and uniform benches should replace existing benches and be placed at various locations on Main Street as well as in front of the pavilion at the park. Trash receptacles and bike racks should also have a uniform design and be placed in several locations along Main Street. This streetscape plan should encourage outdoor seating areas and potentially identify

c. **Street Trees**

Street trees provide necessary shade to pedestrians and also provide an aesthetic benefit to all passersby. Trees can improve the function and feel of the street by creating an enclosure that makes the street feel welcoming, narrower which consequently slows vehicular traffic and improves pedestrian-friendliness. Trees should be placed to create a rhythm and consistent canopy along the street, approximately 40 feet apart. Close attention should be paid to the species of trees to make sure the growth habits and branching patterns as to not limit the obstruction of storefronts, merchant signs, and entryways. There are some existing street trees along Main Street, but efforts should be made to fill in any existing gaps. Any semblance of consistent street tree enclosure disappears north of the intersection of Main Street and Akehurst Avenue/Vienna Road. This should be addressed in a future streetscape program.

d. **Landscaping and Screening**

Improving landscaping in areas along and around Main Street will provide another aesthetic benefit to the streetscape. New design elements should be considered for the pavilion and

park area on Main Street including a larger seating area with new trees and plantings to help frame the public space as a performance area.

Screening is a landscaping technique that can provide more comfort for pedestrians while also shielding passersby from unappealing views. Sylvan Beach's Main Street has several areas where screening could be improved. There are several parking lots that should be buffered with a tree lawn or other plantings to provide a better view and more appealing pedestrian experience, which is critical for the long-term success of any main street.

e. **Bicycle Facilities**

New bicycle facilities should also be constructed to create connections between the beach and Sunset Park and Main Street. This connection should utilize Bridge and Canal Streets and could include bicycle lanes, sharrows, or multi-use paths. Accommodating cyclists should also be a focus on the full length of Main Street. Facilities should also be included on the bridge leading into Sylvan Beach's Main Street. This could eventually lead to a connection to the NYS Route 5 Bicycle Trail on State Route 31 in Verona.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Project Location within the WRA:

Streetscaping efforts on Main Street should be considered for the entirety of Main Street within the Village boundaries but should be particularly prioritized in the Village's business district between the canal and 19th Avenue. Multiple streets should be considered for bicycle facilities including Main Street, Bridge Street, Canal Street, Spencer Avenue, and Sunset Avenue.

Estimated Cost:

- 10a. Pedestrian-level lighting: \$2,000-\$3,000 per streetlight (This can vary depending on materials used, lighting design, and other factors).
- 10b. Benches, trash receptacles, and bicycle racks:
 - Benches – \$1,000-\$2,500 per bench
 - Trash receptacles – \$500-\$1,000 per receptacle
 - Bicycle parking – \$500-\$1,000 per bike rack
- 10c. Street trees: \$600,000-\$800,000 (This is dependent on tree species, and total amount of trees)
- 10d. Landscaping and screening: Cost for this portion will vary depending on the extent and type of landscaping and screening desired but could range between \$250,000-\$500,000.
- 10e. Bicycle facilities costs could range between \$200,000-\$400,000 depending on desired facilities and streets.
- Total costs for comprehensive streetscaping could range from \$2,500,000-\$5,000,000

Potential Funding Sources:

- New York State Consolidated Funding Application

Agencies Involved in Permitting:

- New York State Department of Transportation (NYSDOT)

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation:

The Village of Sylvan Beach would be the entity primarily responsible for implementation of this project, but it would require coordination with Main Street property owners and NYSDOT.

10. Develop a Façade Improvement Program**Project Description and Benefits:**

Sylvan Beach should develop a façade improvement program that may offer incentives to encourage improvements consistent with the desired aesthetic for Main Street. Incentives could include, but are not limited to, deferred assessment increases or matching grants to help with project costs. Incentives should require match funding and investment by property owners.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Project Location within the WRA:

All businesses along Main Street in the Village should be eligible for a façade improvement program.

Estimated Cost:

Loans should be pursued through identified funding sources and could range between \$15,000-\$25,000 per individual façade.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)
 - New York Main Street Program (HCR NYMS)
- Housing and Urban Development (HUD)
 - Community Development Block Grant (CDBG)

Potential Timeframe:

This project should be pursued in the medium-term (2022-2025), possibly concurrent with a streetscape plan.

Entities Responsible for Implementation:

The Village of Sylvan Beach would be the entity primarily responsible for implementation of this project, but it would require coordination with and support from Main Street property owners.

11. Develop Wayfinding Signage and Information Kiosks**Project Description and Benefits:**

The village should develop a wayfinding signage system. Having a central theme to signs and kiosks will make them more accessible and noticeable to passersby, and in this way it will become easier for people to navigate the Village.

Visitors to Sylvan Beach need to be guided to important areas in the Village including Sunset Park, the public beach and swimming areas, the amusement district and Midway Mall, other Village parks, hiking and multi-use paths, and the Village offices. The Village can contribute to wayfinding through the development of informational kiosks and/or tourist maps. The Department of State's EPF grant program provides funding for kiosks through the New York State Coastal Resources Interpretive Program (NYSCRIP).

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Project Location within the WRA:

Wayfinding signage and kiosks should be in locations throughout the Village, including public facilities such as Village Hall and Sunset Park, along Main Street, and at important gateways into the Village including

Estimated Cost:

Cost for a comprehensive wayfinding program including signage and kiosks could be between \$100,000-\$150,000. The cost could vary based on chosen materials and desired amount of signs and kiosks.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)
 - New York Main Street Program (HCR NYMS)

Agencies Involved in Permitting:

- New York State Department of Transportation (NYSDOT)

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation:

The Village of Sylvan Beach would be the entity primarily responsible for implementation of this project, but they would need to coordinate with the New York State Department of Transportation.

12. Improve Stormwater Management Techniques and Infrastructure**Project Description and Benefits:**

There are several streets that have flooding issues, and some of this can be attributed to poor drainage and impervious paved surfaces. Future road projects shall use porous materials to allow for the ease of stormwater runoff and to reduce pooling. The following stormwater reduction techniques should also be considered, although this list is not exhaustive:

- Dry swales;
- Vegetated swales;
- Rain gardens; and
- Green roofs.

LWRP Policies Implemented:

- Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.
- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into designated inland waterways.
- Policy 37: Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics, and eroded soils into designated inland waterways.

Project Location within the WRA:

There are a few areas that are highly prone to flooding in the Village. Most of these areas are adjacent to Fish Creek along the eastern boundary of the Village. Residential streets and neighborhoods near the creek are particularly at risk.

Estimated Cost:

Costs for this project will vary depend on several factors including the type of treatments selected and size and location of various treatments.



- The cost could range between \$5.00-\$15.00 per linear foot for a vegetated swale or a dry swale.
 - The cost could range between \$3.00-\$5.00 per square foot for a rain garden.
 - The cost for a green roof could range between \$10.00-\$25.00 per square foot.
- Implementing physical stormwater reduction measures, such as the swale pictured above, will help to alleviate Village flooding challenges and manage runoff.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)
 - Water Quality Improvement Project (WQIP) through New York State Department of Environmental Conservation (NYSDEC)

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYSDEC)

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village will be the entity primarily responsible for implementation, although they should coordinate with the New York State Department of Environmental Conservation.

13. Maintain The Public Realm

Project Description and Benefits:

The Village needs to identify a better system for the cleaning of Main Street, the removal of sand, and the maintenance of its beaches including the removal of weeds and debris. Additionally, Sylvan Beach should properly maintain street trees and plants as well as all vegetation in public parks and properties. This could include the watering of plants and trees and mulching on a regular basis.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Project Location within the WRA:

The project area should include Main Street, as well as some streets providing access to the beach and waterfront such as Park Avenue and Lakehurst Avenue.

Potential Timeframe:

This project could begin in the short-term (1-3 years). The Village should parse tasks from this project for the Village's Department of Public Works.

Entities Responsible for Implementation:

The Village should be the primary entity responsible for implementation of this project as well as the Village's Department of Public Works.

14. Rebuild The Boardwalk Along The Beach and Into The Village Center District

Project Description and Benefits:

The Village should consider erecting a new boardwalk along the public beach. This boardwalk should also extend into the Village Center district along Main Street via Akehurst Avenue.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 2: Facilitate the siting of water-dependent uses and facilitates on or adjacent to inland waterways.
- Policy 4: Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.
- Policy 12: Activities or development in the waterfront revitalization area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands, and bluffs.
- Policy 18: To safeguard the vital economic, social, and environmental interests of the State and of its citizens, proposed major actions in the waterfront revitalization area must give full consideration to those interests and to the safeguards which the State has established to protect valuable inland waterway resource areas.
- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.
- Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the shoreline.

Project Location within the WRA:

The boardwalk will connect the beach to the Village's Main Street.

Estimated Cost:

A boardwalk connecting the beach to the Village center could cost between \$100,000-\$200,000.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)
 - New York State Department of State

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYSDEC)

Potential Timeframe:

This project should be pursued in the long-term (5-10 years).

Entities Responsible for Implementation:

The Village will be the primary entity involved in implementation of this project.

15. Expand the Beachfront**Project Description and Benefits:**

The Village should consider extending the public beachfront north to McClanathan Avenue and the edge of the PL District of the Village. This is currently a lower priority than other recommended projects in this section.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.
- Policy 20: Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.
- Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the shorefront.

Project Location within the WRA:

This project would extend the public beachfront from Lakehurst Avenue to the northern boundary of the Village at McClanathan Avenue.

Potential Timeframe:

This project should be pursued in the long-term (5-10 years).

Entities Responsible for Implementation:

The Village will be the primary entity involved in implementation of this project.

16. Connect Village Bike Trails to Regional Trails**Project Description and Benefits:**

The Village should create connections to existing regional trail systems, including the Empire State Trail and the NYO&W railroad trail.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated and will be given priority over non-water-related uses along the shorefront.

Project Location within the WRA:

Village bike connections should be developed on Main Street to connect south to New York State Bike Route 5 by way of NYS Highway 13 and NYS Highway 31/Lake Road.

Estimated Cost:

Costs will vary depending on the bicycle facilities that would be needed or desired for Main Street. Estimated costs for these facilities could range between \$100,000-\$200,000.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Department of Transportation (NYSDOT)

Potential Timeframe:

This project should be pursued in the long-term (5-10 years).

Entities Responsible for Implementation:

The Village will be the primary entity involved in implementation of this project but should coordinate with the Department of Transportation.

17. Conduct an Inventory of Historic Structures**Project Description and Benefits:**

A complete inventory should be conducted for all Sylvan Beach's historic structures. This inventory should include the amusement park district and Yesterday's Royal. Any applicable structures should be added to the national or state registers. This inventory should initially be undertaken by Village Staff. The Village should first determine which, if any, sites or structures may need to be included in the State or National registers.

LWRP Policies Implemented:

- Policy 23: Protect, enhance, and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation.

Agencies Involved in Permitting:

- New York State Parks, Recreation, and Historic Preservation

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation:

The Village will be the primary entity involved in implementation of this project but should coordinate with New York State Parks, Recreation, and Historic Preservation.

18. Explore Incentives for Streambank Restoration**Project Description and Benefits:**

Sylvan Beach should explore potential incentives for landowners to better protect and secure the banks along Fish Creek. Measures and practices could include streambank restoration.

LWRP Policies Implemented:

- Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

Project Location within the WRA:

This project should be pursued for various areas along Fish Creek. There are residential properties all along the creek in the Village and incentives for these landowners should be prioritized.

Estimated Cost:

Cost for this project will vary depending on the package of incentives that the Village chooses to offer to landowners.

- Streambank restoration and enhancement could cost between \$25-\$100 per linear foot.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYS DEC)
- US Fish and Wildlife Service
- Army Corps of Engineers

Potential Timeframe:

This is a high-priority project and should be pursued in the immediate short-term within (1-2 years.)

Entities Responsible for Implementation:

The Village should be the primary entity involved in implementation for this project, but they should be prepared to coordinate with other State and Federal agencies.

19. Establish Inter-organizational Cooperation to Replenish Sand

Project Description and Benefits:

Sylvan Beach should establish cooperation between the Village, the Canal Corporation, and the Army Corps of Engineers to replenish sand to the beach on an annual basis. Periodic dredging from Fish Creek and the Erie Canal could be a likely source for sand.

LWRP Policies Implemented

- Policy 35: Dredging and filling inland waterways and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

Agencies Involved in Permitting:

- New York State Department of State
- US Army Corps of Engineers
- New York State Department of Environmental Conservation

Potential Timeframe:

This is a high-priority project and should be pursued in the immediate short-term within (1-2 years.)

Entities Responsible for Implementation:

The Village will be primarily responsible for the implementation of this project and will work closely with several State and Federal agencies to increase and improve cooperation for replenishing beach sand.

20. Continue to Work with the Canal Corporation to Regularly Dredge the Erie Canal, Lake Oneida, and Portions of Fish Creek.

Project Description and Benefits:

The Village should coordinate with the Army Corps of Engineers as well as the Canal Corporation to continue the regular dredging for their three main bodies of water.

LWRP Policies Implemented:

- Policy 15: Mining, excavation, or dredging in inland waterways shall not significantly interfere with the natural inland waterway processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

- Policy 35: Dredging and filling inland waterways and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

Estimated Cost:

Costs for dredging will typically include floating planks, cranes, excavators, labor, and other things. A rough estimate for dredging would depend on the water body being dredged and the amount that needs to be dredged.

- Dredging could range anywhere from \$250,000-\$400,000.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Canal Corporation
- New York State Department of Environmental Conservation (NYS DEC)
- US Army Corps of Engineers

Potential Timeframe:

This is a high-priority project and should be pursued in the immediate short-term within (1-2 years.)

Entities Responsible for Implementation:

The Village will be the primary entity responsible for implementation, but they should work closely with the US Army Corps of Engineers, New York State Department of Environmental Conservation, and the New York State Canal Corporation.

21. Establish Coherent Flood Management Strategies and Practices**Project Description and Benefits:**

The following should be considered:

a. **Collaborate with Federal, State, and Regional Bodies to Determine Need for Flood Management Projects**

Sylvan Beach should establish cooperation between the Village, the Canal Corporation, and the Army Corps of Engineers to assess the need for flood management, particularly in the more flood-prone areas of Fish Creek along the eastern boundary of Sylvan Beach.

b. **Assess How to Develop Any Needed Flood Warning Programs**

The Village should consider the need for flood warning programs and develop a system to ably warn community members of flood events.

c. Pursue Flood Mitigation Projects with Vienna

Sylvan Beach should pursue flood mitigation of Fish Creek with the Town of Vienna to ensure that the efforts of both municipalities are consistent.

d. Formalize a System for Flood Management

Sylvan Beach needs to develop a set of strategies and/or plans to manage flooding in the Village, particularly on properties adjacent to Fish Creek.

e. Consider Requiring Breakwall Maintenance in the Village Code

The Village should consider including language requiring property owners to maintain and repair breakwalls in the chapter for Property Maintenance in the Village Code.

LWRP Policies Implemented:

- Policy 12: Activities or development in the waterfront revitalization area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands, and bluffs.

Estimated Cost:

There are no monetary costs associated with the steps of this project, although they will take time, effort, and collaboration with various Federal, State, and local entities.

Agencies Involved in Permitting:

- The New York State Canal Corporation
- The US Army Corps

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village will be the primary entity responsible for implementation, but they should work closely with the US Army Corps of Engineers, New York State Department of Environmental Conservation, New York State Canal Corporation, and the Town of Vienna.

22. Establish Additional Guidelines for Natural and Man-made Water Runoff**Project Description and Benefits:**

Sylvan Beach should consider creating guidelines that will reduce natural and man-made water runoff including green space requirements, street tree plantings, and other natural features. Other code measures that will assist in reducing stormwater runoff issues, such as maximum parking requirements, should also be considered.

LWRP Policies Implemented:

- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Estimated Cost:

- Costs for natural and man-made water runoff guidelines could range between \$10,000-\$20,000

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation:

The Village will be the primary entity responsible for implementation.

23. Take Measures to Protect Village Wetlands**Project Description and Benefits:**

Sylvan Beach should consider the following:

- Adopt DEC recommendations for municipal wetland management into the existing zoning ordinance;
- Ensure that development conforms to SEQR standards;
- Reduce the loss of wetlands resulting from development pressures;
- Preserve the maximum amount of natural drainageways to allow for the natural recharge of groundwater.

LWRP Policies Implemented:

- Policy 44: Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.

Project Location within the WRA:

Sylvan Beach has wetlands in three main areas within the WRA. These wetlands are shown on Map 4.2 earlier in this section.

Estimated Cost:

Costs for this project will depend on any desired updates or amendments to the Village municipal code and could range between \$10,000-\$20,000.

Potential Funding Sources:

- New York State Consolidated Funding Application (CFA)

Agencies Involved in Permitting:

- New York State Department of Environmental Conservation (NYS DEC)

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

Entities Responsible for Implementation:

The Village will be the primary entity responsible for implementation, but they will need to coordinate with the New York State Department of Environmental Conservation.

24. Evaluate Salting Practices in the Village**Project Description and Benefits:**

The Village should evaluate its road salting practices on Village-controlled roads where applicable and develop use guidelines and strategies to efficiently clear roads without causing excess harm to the environment.

LWRP Policies Implemented:

- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Estimated Cost:

There are no monetary costs associated with the steps of this project, although they will take time, effort, and collaboration among Village staff.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village will coordinate with the Village Department of Public Works will be the primary entity responsible for implementation.

25. Establish Strong Erosion and Sediment Controls for Highway Practices**Project Description and Benefits:**

Sylvan Beach should establish these controls to reduce the impact of sedimentation and flooding caused by the deposition of sand in ditches and stormwater pipes. These controls should be based on approaches and measures taken by similar communities.

LWRP Policies Implemented:

- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village will be the primary entity responsible for implementation along with the Village Department of Public Works. The Village should also coordinate this effort with the Town of Vienna Highway Department.

26. Communicate with the Oneida Lake Commission to Create a Management Plan

The Village will work with the Oneida Lake Commission regarding the creation of a management plan for dealing with lake closures due to pollution influxes from surrounding communities. This will entail intermunicipal agreements between Oneida Lake communities, including the Village of Sylvan Beach, and with New York State.

LWRP Policies Implemented:

- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

Entities Responsible for Implementation:

The Village will coordinate with the Oneida Lake Commission to implement this project.

Section 5: Techniques for Local Implementation

This section considers existing local laws and sections of the Village Code that are pertinent to implementation of the LWRP, while also providing Sylvan Beach with any additional actions that are necessary for successful implementation. This section also presents a management structure for the LWRP's implementation and provides the Village with an outline for the State's consistency review process.

5.1 Existing and Proposed Local Laws and Regulations

Local laws and municipal regulations are the basic means for the Village of Sylvan Beach to enforce the policies and proposals of the LWRP. Such laws can assure that no actions are taken which will impair or prevent the long-term use of the waterfront, or to frustrate the accomplishment of the policies and purposes of the LWRP. It is important to strike a balance between development and resource protection. The Village must make use of and properly modify existing local laws and regulations to achieve consistency with LWRP policies and purposes.

Chapter 15: Beaches

Sylvan Beach has adopted regulations for public use of the beach, boating and docking, and related public water uses. A comprehensive revision of this law was enacted in June 2005. The beach law prohibits several activities that have historically tended to produce a non-family-friendly atmosphere and provides for safe use of the beach. For example, alcoholic beverages, glass containers, and fires are prohibited from all beach areas. Any games equipment that is brought in and erected, such as volleyball nets, must be removed at the end of play, and commercially-sponsored volleyball is prohibited. All motor vehicles are prohibited from public beach areas except for emergency vehicles. Operation of boats and personal watercraft in manners unsafe to swimmers is also contrary to the Beach Law. Boats and all watercraft are not permitted within 1,500 feet of the public beach that is within Village limits.

Chapter 23: Brush, Grass and Weeds

Sylvan Beach has adopted regulations for the specific removal and clearing of dead trees, invasive weeds, brush and rubbish on all developed and undeveloped lots and properties. Adhering to the regulations within this Chapter would help the Village to better maintain and upkeep public areas that become overgrown with weeds, brush, dead trees, and other unwanted plants. There are no anticipated changes to the existing regulations in this Chapter at this time.

Chapter 51: Flood Damage Prevention

The primary purpose of Chapter 51 of the Village Code is to protect the public health, safety, and welfare and minimize losses due to flooding in specific areas in Sylvan Beach. Flood damage is a significant issue every year in Sylvan Beach, and these regulations help prevent damage from flood

events. This chapter of the Village Code strives to regulate and control uses that are dangerous to public health and safety and those that are particularly vulnerable to floods. There are currently no anticipated changes to the existing regulations in this Chapter.

Chapter 94: Property Maintenance

Junk, refuse, abandoned vehicles, and other debris stored on private property can constitute a public nuisance, depreciate property values, and decay community character. This chapter establishes basic regulations for the maintenance and upkeep of the exterior of all properties, while also providing a legal procedure for properties that need remedial action. There are currently no anticipated changes to the existing regulations in this Chapter.

Chapter 136: Zoning

The Village of Sylvan Beach has a Zoning Law in place, constituting Local Law No. 2 of 2009, termed the “Sylvan Beach Village Zoning Code.” This law addresses the village. It was extensively revised following the adoption in 2001 of the Village of Sylvan Beach Comprehensive Plan. As with many zoning laws, it follows a classic format of district regulations, area/height/bulk regulations, nonconformities, administration and enforcement, appeals, and an amending process. Map X shows existing zoning districts. No amendments to the zoning districts or maps are anticipated at this time.

The established zoning districts within the Village are as follows: R – Single-Family Residential, VC – Village Center, CR – Commercial Resort, and PL – Public Lands. Descriptions for each of the zoning districts (§136) may be accessed online through General Code or at the Village of Sylvan Beach Clerk Office. Descriptions and mapping for zoning districts within the WRA can be found in Section 2 of the LWRP.

The districts in the WRA will help implement the LWRP including the VC and CR districts. The VC district is intended to provide an interesting streetscape for pedestrians as well as create safe and inviting pedestrian spaces. Projects that improve or contribute to a safe and inviting streetscape are implementable in the VC District.

The CR district is intended to encourage infill, reuse, and expansion of resort-related business and appropriate uses. Projects that will accomplish the reuse and infill of underutilized properties in the CR district (including the amusement park property and adjacent uses) are implementable in the district.

Chapter 123: Vehicles and Traffic; Article III: Parking, Standing, and Stopping

To effectively manage public parking during the peak tourist season, the Village has public parking regulations in place. No significant changes to the existing regulations are anticipated. The Village prohibits on-street parking except in specific marked areas, which are metered parking. Beach parking in the Village Beachfront Lot or any other municipal lot or property leased by the Village may be designated as a paid parking area at the discretion of the Board of Trustees.

Additional Necessary Local Laws and Regulations

One local law has been drafted and is appended to this LWRP as elements in its implementation. Following state review and consequent possible revision, they will be adopted by the Village Board.

1. Waterfront Consistency Law. The Village will need to adopt a local Waterfront Consistency Law to ensure that local laws and regulations are applied in a way that assures consistency with the Local Waterfront Revitalization Program. A draft local law for this purpose is attached as Appendix A.

5.2 Other Public and Private Actions Necessary Implement the LWRP

The following are descriptions of additional regulations from other public entities that will be important considerations when carrying out this LWRP.

State Actions and Programs**New York State Canal Corporation**

The Village consults with the Canal Corporation on the raising and lowering of Erie Canal water levels, as this affects all water activities within the Village. The Canal Corporation monitors and manages the water levels for both the Erie Canal and Oneida Lake.

Regulations and fees related to mooring, dockage, wharfage, storage, traffic, clearance, permitting, speed, and use of canal equipment or facilities are all established and maintained by the New York Canal Corporation. The Canal Corporation also regulates how long boats can moor in the canal, as well as how boats shall be securely moored. Navigation on the Erie Canal is also controlled through the Canal Corporation. The notice of official opening and closing dates is announced by the Canal Corporation annually. Swimming, diving, or fishing from any canal structure is prohibited and punishable by a monetary fine.

Department of Environmental Conservation

- Funding assistance with planning studies and/or design and construction of projects targeted to control erosion, flooding, and stormwater runoff in the Village's waterfront areas, particularly Fish Creek.
- Implement and administer Article 24 of the State's Environmental Conservation Law for the Village of Sylvan Beach wetland areas.

Division of Homes and Community Renewal

- Funding and technical assistance with revitalization efforts within the WRA.

Department of State

- Technical assistance for LWRP implementation of various planning, design, and construction projects proposed within the WRA.

- Funding assistance through the Environmental Protection Fund for the implementation of projects proposed in Section 4 of the LWRP.

New York State Energy Research and Development Authority

- Funding and technical assistance with energy efficiency studies and projects.

New York State Department of Transportation

- Provide assistance, improvements, and facilities to Main Street that will improve conditions for both pedestrians and bicyclists.
- Provide traffic-calming treatments that result from an overall streetscape plan.

New York State Parks, Recreation, and Historic Preservation

- Funding assistance for the planning, design, and construction of improvement projects at Sunset Park.
- Funding approval under programs such as the Land and Water Conservation Fund and the Clean Water/Environmental Protection Fund for the development of or improvements to waterfront parkland.
- Technical assistance in conducting an inventory of historic structures in the WRA.

New York State Police

- Enforcement and assistance of watercraft rules and regulations. Enforcement of these rules and regulations are assisted by the New York State Park Police and the Oneida County Sheriff's Department.

5.3 Local Management Structure

Local Management Structure

Actions directly undertaken, funded, or approved by the Village government and agencies within the Sylvan Beach WRA must be reviewed for consistency with LWRP policies and purposes, pursuant to the LWRP Consistency Review Law included in Appendix A of the LWRP. For each action proposed within the WRA which is not a minor action pursuant to the Sylvan Beach LWRP Consistency Review Law, a Waterfront Assessment Form (WAF) must be completed to assess if the proposed action conflicts with any of the LWRP policies. The WAF is also included in Appendix A of the LWRP.

Several Village agencies and local officials are responsible for management and coordination of implementation of the LWRP

The **Village Mayor** will have principal responsibility for implementing and managing the Village of Sylvan Beach LWRP.

The **Village Board** is the government or legislative body that adopts the Sylvan Beach LWRP and will oversee all LWRP activities to ensure that proposed actions under the Village's jurisdiction and within the WRA are consistent with the policies of the LWRP.

The Village Board shall delegate a **Waterfront Coordinator** that will advise, assist, and make consistency recommendations to other Village agencies in the implementation of the LWRP, LWRP policies, and proposed projects. The LWRP Consistency Review Law designates the Village's Code Enforcement Officer as the Waterfront Coordinator. The recommendations of the Waterfront Coordinator will inform the decisions of the Village Board, Planning Board, and Zoning Board of Appeals. Any action that is proposed within the Sylvan Beach WRA and must be approved, funded, or undertaken by the Village requires completion of a Waterfront Assessment Form and must be reviewed for consistency with the LWRP policies, pursuant to the Local Waterfront Revitalization Program Consistency Review Law. The Waterfront Coordinator will also schedule semiannual LWRP coordinating meetings with representatives including but not limited to the Village Board, Planning Board, Zoning Board of Appeals, and other such departments as appropriate.

The **Sylvan Beach Planning Board** has the authority to hear, review, and decide on applications for site plan review. Site plan review is the review of private projects. The Planning Board reviews site plans to assure that they meet the stated purposes and standards of the zoning district, provide for necessary public facilities, and protect and preserve topographical features and adjacent properties through the appropriate siting of structures and landscaping.

The Planning Board also has authority to review and offer recommendations to the Village's Zoning Board of Appeals for the approval of special use permits and report recommendations with respect to any proposed change or amendment in the Zoning Code.

The **Sylvan Beach Zoning Board of Appeals** has the authority to hear and decide appeals from decisions or determinations made by the Code Enforcement Officer; approve or deny variances from the requirements of this Chapter; and hear, review, and decide applications for special use permit approvals. The Zoning Board of Appeals shall consider the written consistency recommendation of the Waterfront Coordinator in the event and at the time it makes a decision to grant a Zoning variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of the law.

Guidelines for Notification and Review of State Agency Actions Proposed within the WRA Covered by the Approved Sylvan Beach LWRP

1. Purpose of Guidelines

- A. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (the Act) (Article 42 of the Executive Law) and the Department of State's regulations (19 NYCRR Part 600) require certain state agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of the approved Village of Sylvan Beach Local Waterfront Revitalization

Program (LWRP). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.

- B. The Act also requires that state agencies provide timely notice to the Village of Sylvan Beach whenever an identified action will occur within the WRA covered by the approved Sylvan Beach LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist the Village of Sylvan Beach in carrying out their review responsibilities in a timely manner.
- C. The New York State Secretary of State is required by the Act to confer with state agencies when notified by the Village of Sylvan Beach government that a proposed state agency action may conflict with the policies and purposes of the approved Sylvan Beach LWRP.

2. Definitions

- A. Action means:
 - 1. A "Type I" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);
 - 2. Occurring within the boundaries of the Waterfront Revitalization Area (WRA) within which the policies and purposes of the approved Village of Sylvan Beach LWRP apply; and
 - 3. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the Village of Sylvan Beach LWRP.
- B. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of the approved Sylvan Beach LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of the approved Sylvan Beach LWRP, then the action must be one:
 - 1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
 - 2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
 - 3. That will result in an overriding regional or statewide public benefit.
- C. Coastal Assessment Form (CAF) is the form used by the State agency to assess the consistency of its actions proposed within the Village of Sylvan Beach Waterfront Revitalization Area with the policies and purposes of the approved Sylvan Beach LWRP.
- D. EIS or Environmental Impact Statement means a form used by an agency to assist it in determining the environmental significance or non-significance of actions, pursuant to 6NYCRR 617 (SEQR)

- E. Local Waterfront Revitalization Program, or Sylvan Beach LWRP, means the program prepared and adopted by the Village Board and approved by the Secretary of State pursuant to Executive Law, Article 42; which program contains policies on the management of land, water, and man-made resources, proposed land uses and specific projects that are essential to program implementation.
- F. Secretary of State or Secretary is the head of the New York State Department of State, which is the state agency responsible for administering and coordinating activities essential for the implementation of the Coastal Management Program, including approved LWRPs.
- G. Village of Sylvan Beach Waterfront Coordinator will be responsible for the review of state agencies actions and for providing state agencies with findings to the appropriate state agency contact. The Waterfront Coordinator is the Village of Sylvan Beach Director of the Department of Economic Development and Planning.
- H. Village means the Village of Sylvan Beach
- I. Village Board is the government or legislative body of the Village of Sylvan Beach that adopted the Sylvan Beach LWRP.
- J. Waterfront Revitalization Area is the portion of the state's coastal area covered by the approved Sylvan Beach LWRP.

3. Notification Procedure

- A. When a state agency is considering an action as described in II. DEFINITION within the defined Waterfront Revitalization Area boundary of the approved Sylvan Beach LWRP, the state agency shall notify the Waterfront Coordinator.
- B. Notification of a proposed state agency action:
 - 1. Shall fully describe the nature and location of the action;
 - 2. Shall be accomplished by use of other existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and the Village of Sylvan Beach government; and
 - 3. Should be provided to the Waterfront Coordinator as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the action. The timely filing of a copy of a completed Coastal Assessment Form (CAF), available to State agencies, to the Waterfront Coordinator should be considered adequate notification of a proposed action.
- C. If the proposed action will require the preparation of a draft environmental impact statement (EIS), the filing of this draft document with the Waterfront Coordinator can serve as the state agency's notification to the Village.

4. Local Government Review Procedure

- A. Upon receipt of notification from a state agency, the Waterfront Coordinator will be responsible for evaluating the proposed state agency action against the policies and purposes of the approved Sylvan Beach LWRP. Upon request of the Village of Sylvan

Beach Waterfront Coordinator, the state agency should promptly provide whatever additional information is available which will assist the Waterfront Coordinator to evaluate the proposed action.

- B. If the Waterfront Coordinator cannot identify any conflicts between the proposed action and the applicable policies and purposes of the approved Sylvan Beach LWRP, the Waterfront Coordinator should notify in writing the state agency of the finding. Upon receipt of the written finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
- C. If the Waterfront Coordinator does not notify the state agency in writing of the finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the approved Sylvan Beach LWRP.
- D. If the Village of Sylvan Beach notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of the approved Sylvan Beach LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in V. Resolution of Conflicts below shall apply. The Village of Sylvan Beach shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the Waterfront Coordinator shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

5. Local Government Review Procedure

- A. The following procedure applies whenever the Village of Sylvan Beach has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP.
 - 1. Upon receipt of notification from the Village of Sylvan Beach that a proposed action conflicts with its approved LWRP, the state agency should contact the Waterfront Coordinator to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and Village of Sylvan Beach representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the Village.
 - 2. If the discussion between the Village of Sylvan Beach and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the Village of Sylvan Beach Waterfront Coordinator shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. Village of Sylvan Beach Local Waterfront Revitalization Program SECTION V 22 The State agency

can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

3. If the consultation between the Village of Sylvan Beach and the state agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary of State within 15 days following the discussion between the Village of Sylvan Beach and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party
4. Within 30 days following the receipt of a request for assistance, the Secretary, or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and Village of Sylvan Beach.
5. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.
6. The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

5.4 Financial Resources

Financial resources are required to implement the legal and administrative activities and the proposed projects that will further the policies and purposes of the Village of Sylvan Beach LWRP. Resources necessary for the first two activities associated with the Village's efforts to oversee conformance and enforcement of the LWRP would come from general revenue sources and would be reflected in the Village's annual budget through Department staffing.

The Village recognizes that the implementation of most of the proposed projects identified in Section IV of the LWRP may include administrative costs, capital outlays, maintenance costs and, in some cases, property acquisition. Capital costs reflect the costs incurred by the Village to complete specific projects. The costs for the projects identified in Sections IV are estimates and do not reflect detailed costs. A number of these projects will require significant capital expenditures. The Village will continue to pursue outside funding and, where appropriate, creative financing mechanisms for these and similar efforts.

Where applicable, the Village will work diligently to secure funding through grants that are available under State and Federal programs to support the implementation of LWRP projects. Most of these programs require matching funds and/or in-kind service contributions. The Village may also consider bond issues and other similar revenue enhancements to facilitate LWRP implementation.

Village of Sylvan Beach Funding Sources

Local government funding sources to implement the LWRP will primarily be from the Village's annual budget. The Village has a consistent policy of allocating funding from the municipal budget to assist in implementing programs aimed at improving the Village's appearance and economic viability, including tourism-related activities, as well as allocating force account services towards grant matches. It is anticipated that the implementation of most public projects identified in the LWRP will be a partnership and combine multiple funding sources. Additionally, the Village may

Federal and State Funding

Federal and state funding will be required to implement many elements of this LWRP. The Village will continue to pursue various state and federal grant and loan programs to fund and implement the recommended projects outlined in Section 4. The Village will continue its cooperation with the Canal Corporation and other State agencies to improve the use of canal waters and pursue regular dredging of the canal.

Section 6: State Programs Likely to Affect Implementation

State actions will affect and be affected by the implementation of a Local Waterfront Revitalization Program (LWRP). Under State law, certain State actions within or affecting the local waterfront area must be consistent or consistent to the maximum extent practicable with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State agencies is also likely to be necessary to implement specific provisions of the LWRP.

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

The second part of this section is a more focused and descriptive list of State agency actions which are necessary to further implement the LWRP. It is recognized that a State agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements cannot be used to require a State agency to undertake an action it could not undertake pursuant to other provisions of law. Section 4 and Section 5 of this LWRP should be referenced as they also discuss State assistance needed to implement the LWRP.

6.1 State Agencies

Office for the Aging

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

Department of Agriculture and Markets

- 1.00 Agricultural Districts Program

-
- 2.00 Rural Development Program
 - 3.00 Farm Worker Services Programs.
 - 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

Division of Alcoholic Beverage Control/State Liquor Authority

- 1.00 Permit and Approval Programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer's Permits
 - 1.14 Liquor Store License
 - 1.15 On-Premises Liquor Licenses
 - 1.16 Plenary Permit (Miscellaneous-Annual)
 - 1.17 Summer Beer and Liquor Licenses
 - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
 - 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit

- 1.21 Wine Store License
- 1.22 Winter Beer and Liquor Licenses
- 1.23 Wholesale Beer, Wine, and Liquor Licenses

Division of Alcoholism and Substance Abuse Services

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
 - 3.01 Letter Approval for Certificate of Need
 - 3.02 Operating Certificate (Alcoholism Facility)
 - 3.03 Operating Certificate (Community Residence)
 - 3.04 Operating Certificate (Outpatient Facility)
 - 3.05 Operating Certificate (Sobering-Up Station)

Council on the Arts

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

Central New York Regional Transportation Authority (regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Increases in special fares for transportation services to public water-related recreation resources.

Office of Children and Family Services

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

- 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
- 3.02 Operating Certificate (Children's Services)
- 3.03 Operating Certificate (Enriched Housing Program)
- 3.04 Operating Certificate (Home for Adults)
- 3.05 Operating Certificate (Proprietary Home)
- 3.06 Operating Certificate (Public Home)
- 3.07 Operating Certificate (Special Care Home)
- 3.08 Permit to Operate a Day Care Center

Department of Corrections and Community Supervision

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

Dormitory Authority of the State of New York

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

Education Department

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certification of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesale of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Re-packer of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

Empire State Development/Empire State Development Corporation

-
- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
 - 2.00 Allocation of the state tax-free bonding reserve.

New York State Energy Research and Development Authority

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

Department of Environmental Conservation

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment facilities
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.

9.00 Permit and approval programs:

Air Resources

- 9.01 Certificate of Approval for Air Pollution Episode Action Plan
- 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway

9.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances

9.23 Permit - Article 24, (Freshwater Wetlands)

Hazardous Substances

9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects

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

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

Lands and Forest

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

9.28 Floating Object Permit

9.29 Marine Regatta Permit

9.30 Navigation Aid Permit

Marine Resources

9.31 Digger's Permit (Shellfish)

9.32 License of Menhaden Fishing Vessel

9.33 License for Non-Resident Food Fishing Vessel

9.34 Non-Resident Lobster Permit

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

9.36 Permits to Take Blue-Claw Crabs

9.37 Permit to Use Pond or Trap Net

9.38 Resident Commercial Lobster Permit

9.39 Shellfish Bed Permit

9.40 Shellfish Shipper's Permits

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

9.42 Permit - Article 25, (Tidal Wetlands)

Mineral Resources

-
- 9.43 Mining Permit
 - 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
 - 9.45 Underground Storage Permit (Gas)
 - 9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

- 9.47 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
- 9.50 Certificate of Approval of Realty Subdivision Plans
- 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.53 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.56 Approval - Drainage Improvement District
- 9.57 Approval - Water (Diversion for) Power
- 9.58 Approval of Well System and Permit to Operate
- 9.59 Permit - Article 15, (Protection of Water) - Dam
- 9.60 Permit - Article 15, Title 15 (Water Supply)
- 9.61 River Improvement District Approvals
- 9.62 River Regulatory District Approvals
- 9.63 Well Drilling Certificate of Registration
- 9.64 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.

- 12.00 Preparation and revision of Statewide Environmental Plan.
- 13.00 Protection of Natural and Man-made Beauty Program.
- 14.00 Urban Fisheries Program.
- 15.00 Urban Forestry Program.
- 16.00 Urban Wildlife Program.

Environmental Facilities Corporation

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

Department of Financial Services/Department of Banking

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union Change of Location)
 - 1.05 Authorization Certificate (Credit Union Charter)
 - 1.06 Authorization Certificate (Credit Union Station)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
 - 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
 - 1.09 Authorization Certificate (Investment Company Branch)
 - 1.10 Authorization Certificate (Investment Company Change of Location)
 - 1.11 Authorization Certificate (Investment Company Charter)
 - 1.12 Authorization Certificate (Licensed Lender Change of Location)
 - 1.13 Authorization Certificate (Mutual Trust Company Charter)
 - 1.14 Authorization Certificate (Private Banker Charter)
 - 1.15 Authorization Certificate (Public Accommodation Office - Banks)
 - 1.16 Authorization Certificate (Safe Deposit Company Branch)
 - 1.17 Authorization Certificate (Safe Deposit Company Change of Location)

-
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
 - 1.19 Authorization Certificate (Savings Bank Charter)
 - 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
 - 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
 - 1.22 Authorization Certificate (Savings and Loan Association Branch)
 - 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
 - 1.24 Authorization Certificate (Savings and Loan Association Charter)
 - 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
 - 1.26 Authorization Certificate (Trust Company Branch)
 - 1.27 Authorization Certificate (Trust Company-Change of Location)
 - 1.28 Authorization Certificate (Trust Company Charter)
 - 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
 - 1.30 Authorization to Establish a Life Insurance Agency
 - 1.31 License as a Licensed Lender
 - 1.32 License for a Foreign Banking Corporation Branch

Facilities Development Corporation

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

Office of General Services

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land, grants of easement and issuance of licenses for land underwater, including for residential docks over 5,000 square feet and all commercial docks, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.

- 4.00 Administration of Article 5, Section 233 of the Education Law regarding the removal of archaeological and paleontological objects under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.

Department of Health

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Approval of Completed Works for Public Water Supply Improvements
 - 2.02 Approval of Plans for Public Water Supply Improvements.
 - 2.03 Certificate of Need (Health Related Facility - except Hospitals)
 - 2.04 Certificate of Need (Hospitals)
 - 2.05 Operating Certificate (Diagnostic and Treatment Center)
 - 2.06 Operating Certificate (Health Related Facility)
 - 2.07 Operating Certificate (Hospice)
 - 2.08 Operating Certificate (Hospital)
 - 2.09 Operating Certificate (Nursing Home)
 - 2.10 Permit to Operate a Children's Overnight or Day Camp
 - 2.11 Permit to Operate a Migrant Labor Camp
 - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
 - 2.13 Permit to Operate a Service Food Establishment
 - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
 - 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
 - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
 - 2.17 Shared Health Facility Registration Certificate

Division of Homes and Community Renewal (and its subsidiaries and affiliates)

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)

-
- 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs
 - 2.05 Rural Initiatives Grant Program
 - 2.06 Rural Preservation Companies Program
 - 2.07 Rural Rental Assistance Program
 - 2.08 Special Needs Demonstration Projects
 - 2.09 Urban Initiatives Grant Program
 - 2.10 Urban Renewal Programs
 - 3.00 Preparation and implementation of plans to address housing and community renewal needs.

Housing Finance Agency

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

Job Development Authority

- 1.00 Financing assistance programs for commercial and industrial facilities.

Medical Care Facilities Financing Agency

- 1.00 Financing of medical care facilities.

Office of Mental Health

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

Office for People with Development Disabilities

-
- 1.00 Facilities construction, rehabilitation, expansion, or demolition, or the funding of such activities.
 - 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

Division of Military and Naval Affairs

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

Natural Heritage Trust

- 1.00 Funding program for natural heritage institutions.

Office of Parks, Recreation, and Historic Preservation (including Regional State Park Commission)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
 - 7.01 Floating Objects Permit
 - 7.02 Marine Regatta Permit
 - 7.03 Navigation Aide Permit
 - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.

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

Power Authority of the State of New York

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

New York State Science and Technology Foundation

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

Department of State

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
 - 2.10 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code

State University Construction Fund

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

State University of New York

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.

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

Thruway Authority/Canal Corporation (regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land and other resources under the jurisdiction of the Thruway Authority and the Canal Corporation.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Permit and approval programs:
 - 3.01 Advertising Device Permit
 - 3.02 Approval to Transport Radioactive Waste
 - 3.03 Occupancy Permit
 - 3.04 Permits for use of Canal System lands and waters.
- 4.00 Statewide Canal Recreationway Plan.
- 5.00 Direct and financial assistance related to improvements and enhancements to the State Canal System.

Department of Transportation

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including, but not limited to:
 - (a) Highways and parkways
 - (b) Bridges on the State highways system
 - (c) Highway and parkway maintenance facilities
 - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
 - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg, and New York

- 3.03 Funding programs for rehabilitation and replacement of municipal bridges
- 3.04 Subsidies program for marginal branchlines abandoned by Conrail
- 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
 - 4.01 Approval of applications for airport improvements (construction projects)
 - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
 - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
 - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
 - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
 - 4.06 Highway Work Permits
 - 4.07 License to Operate Major Petroleum Facilities
 - 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
 - 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

Urban Development Corporation (and its subsidiaries and affiliates)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
 - (a) Tax-Exempt Financing Program
 - (b) Lease Collateral Program

- (c) Lease Financial Program
 - (d) Targeted Investment Program
 - (e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects.
- 4.00 Administration of State-funded capital grant programs.

Division of Youth

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

6.2 State Actions and Programs Necessary to Further the LWRP

New York State Office of General Services

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

New York State Canal Corporation (under NYPA administration)

- Provision of approvals and permits for development activities, and the acquisition, disposition, lease, grant of easements, or other activities on Canal Corporation lands;
- Water level management, relative to Erie Canal and Oneida Lake;
- Dredging of Erie Canal;
- Pier restoration program;
- Technical assistance relative to a coordinated effort to rebuild or rehabilitate existing retaining wall along beachfront; and
- General assistance relative to management of Erie Canal impact on Village.

Empire State Development Corporation

- Financial and technical assistance for water and sewer infrastructure and other improvement projects.

Department of Environmental Conservation

- Planning, development, construction, major renovation, or expansion of facilities in the LWRP area;
- Administration of permits and approvals;
- Implementation of the Environmental Quality Review Act of 1972;

- Provision of operating aid to municipal wastewater treatment facilities;
- Administration of funding for resource recovery and management capital projects;
- Flood hazard management assistance;
- Planning and development of wetlands management in a manner consonant with Village development efforts; and
- Technical assistance relative to a coordinated effort to rebuild or rehabilitate existing retaining wall along beachfront.

Division of Homes and Community Renewal

- Funding and technical assistance with revitalization efforts in the Sylvan Beach community;
- Provision of funding under Rural Preservation Company program;
- Approval of funding for Rural Area Revitalization Program projects; and
- General assistance relative to housing rehabilitation, including technical and funding assistance.

Office of Parks, Recreation, and Historic Preservation

- Provision of funding from the Land and Water Conservation Fund;
- Planning, development, construction, major renovation, or expansion of recreational facilities or the provision of funding for such facilities;
- Provision of funding for recreation services programs;
- Provision of funding for local historic preservation studies and activities; and
- Technical assistance in municipal program for preservation of privately-owned amusement park.

New York State Department of State

- Funding and technical assistance for LWRP implementation of various planning, design, and construction projects, as outlined in Section 4 of the LWRP.

New York State Department of Transportation

- Planning, design, funding, and implementation of transportation improvement projects within the LWRP area; and
- Coordination of planned road improvements.

New York State Council on the Arts

- Assistance from the Architecture and Environmental arts program for waterfront development planning.

Tug Hill Commission

- Technical assistance on general issues related to municipal management of LWRP-related actions.

Section 7: Local Commitment and Consultation

7.1 Local Commitment

In 2016, the Village of Sylvan Beach initiated its efforts to prepare a Local Waterfront Revitalization Program, which would also function as the Village's Comprehensive Plan. At this point in time, the Village established a Planning Advisory Committee (PAC) to oversee and assist with the development of the LWRP. The Village Board and the Mayor have also been involved in the preparation of the LWRP during its development. The Tug Hill Commission provided substantial input regarding existing conditions and inventory for Section 2 of the LWRP.

The PAC worked with the consultant on the initial draft of the LWRP document. A public workshop was held on September 13, 2017 and a public open house was held later in the process on XX, 2018. A final public hearing meeting was held prior to adoption of the LWRP on XX, 2018.

Meetings and regular telephone and e-mail communication has been maintained throughout the preparation of the LWRP between the Mayor, the consultants, and the assigned NYS Department of State representative to assure that the completed LWRP complies with the expectations and standards of the Department of State.

Citizen input was significant, though not formally researched outside of the public workshops and public hearing. The public contribution has demonstrated extensive citizen interest and commitment to both the LWRP and the Comprehensive Plan and to the numerous waterfront revitalization projects that have been proposed. The process provided an extensive list of identified issues and concerns, as well as proposed actions. These have been incorporated into this LWRP.

7.2 Consultation

While developing the Sylvan Beach LWRP, the PAC forwarded draft sections of the revised program to the New York Department of State for their review and comments. In addition, draft documents were distributed to the Tug Hill Commission to gather their feedback and comments on programs, policies, and recommendations.

The draft LWRP was reviewed and accepted by the Sylvan Beach Village Board and forwarded to the New York Department of State. The Department of State initiated a 60-day review period for the draft program pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the State Environmental Quality Review Act (Appendix XX). The draft LWRP was posted online and made available to State agencies that may be affected, Oneida County, and the Village of Sylvan Beach. Comments received on the draft document were reviewed by the Department of State and the Village, and changes were made to address the substantive comments. Thereafter, the final LWRP was adopted by the Village and presented to the New York State Secretary of State for approval.