

This section describes the local techniques--legal, administrative, managerial, and financial--required to implement the LWRP.

Part A describes local legislation which will help to implement the program. Part B sets forth other specific implementing actions or projects. Part C describes the management structure to coordinate the program. Part D indicates the financial resources needed and, where possible, available to carry out specific proposed actions. Part E is a chart summarizing proposed actions and the policies from Section III to which they relate.

## **A. LOCAL LAWS AND REGULATIONS**

The following existing laws and regulations are used by the Village and Town to regulate or review land use and development activity in the waterfront area.

### **1. Zoning Regulations**

Town and Village: The Zoning Laws establish land use and density controls, in designated districts, based on a comprehensive plan.

The Planned Waterfront Development District permits flexibility of use and development on Campbell Island, west of the railroad, for water related activities. This zoning district includes specific development and review criteria to insure protection of the environment and consistency with the LWRP. Also, the MC - Marine Commercial District permits uses appropriate to commercial shipping and private recreational use of the Hudson River.

Application: The zoning districts are essential tools for implementation of the Development Policies (1, 2, 4 and 5). The Planned Waterfront Development District supports Development Policies 1, 2, and 5; Public Access and Recreation Policies 19, 20, 21, and 22; and Historic Preservation and Scenic Protection Policies 23, 24, and 25.

### **2. Subdivision Regulations**

Town and Village: These regulations enable the Planning Board to (1) establish standards for the division of land into building lots and the design and construction of improvements and (2) require approval of plans and specifications prior to subdivision.

Application: These regulations are important to orderly development, particularly Development Policy 5, Flooding and Erosion Policies 14 and 17, Public Access Policy 20, and Water and Air Resources Policies (32, 33, 38 and 44).

**3. Flood Damage Prevention Regulations**

**Town and Village:** These regulations establish standards for the type and location of construction in flood hazard areas designated by the Federal Emergency Management Agency. Such legislation enables property owners to be eligible for flood insurance and federal aid in the event of a flood related disaster.

**Application:** These regulations are used to implement Flooding and Erosion Policies 14 and 17.

**4. Environmental Quality Review**

**Town and Village:** State law requires local governments to administer provisions of the State Environmental Quality Review Act (SEQRA).

**Application:** Adherence to SEQRA procedures allows the "lead" agency to identify possible adverse impacts of proposed actions on any aspect of the physical environment at the earliest possible stage and to recommend or require appropriate mitigating measures.

**5. Creation of Waterfront Commission**

A joint Town/Village Commission (see C. below) to coordinate and administer various actions necessary to implement the LWRP was created under local law.

**Application:** This action relates to the entire LWRP.

**6. Local Consistency Law**

A local LWRP consistency law was enacted by both the Town and Village to require that all local boards, agencies, commissions and departments act consistently with the policies established in the LWRP.

**B. OTHER ACTIONS**

Physical projects related to the LWRP are described in Section IV, B; required laws and regulations are set forth above. Other actions recommended in the LWRP include the following:

**1. Scenic Roads Designation**

Route 9J through the rural area of the Town and the Village center is of high visual quality and scenic interest. Article 49 of the State Environmental Conservation Law authorizes designation of such scenic resources by the Commissioner of the NYS Department of Environmental Conservation and the development of programs to preserve and enhance them. This designation should be made and supported by local actions, such as the enactment of special sign controls, State actions, such as development of scenic overlooks and joint cooperation in maintenance and techniques to preserve important vistas.

Application: Historic and Scenic Policies 23 and 25.

**2. Castleton Island Master Plan and Action Program**

Castleton Island was the most significant acquisition recommended in the 1969 "Master Plan for Outdoor Recreation in the Capital District State Park Region". Although acquisition has been completed, no action to develop the park has been taken due to a variety of factors, of which fiscal constraints are probably the most significant. While priorities have changed and projected demands have not been realized, the land now in State ownership is a magnificent resource and a great potential asset to the State and the surrounding community.

The past allocation of funds to the New York State Office of Parks, Recreation and Historic Preservation, for use at Castleton Island, offers an opportunity to re-evaluate the proposed use and development program for the park, in light of current conditions, and identify and resolve specific problems. To be most useful, such a process should be carried out in cooperation with the involved communities and coordinated with plans and policies for the riverfront, included in this Local Waterfront Revitalization Program, in accord with the following work program.

a. Purpose and Objectives

The proposed scope of work is intended to achieve a number of inter-related objectives:

- (1) To develop a set of policies based on State and local consultation and physical determinants to guide park planning and development.
- (2) To identify critical problems to be solved and/or issues to be resolved which significantly affect park planning and development.

- (3) To prepare a general master plan for one selected development alternative, including resolution of identified problems and recommended staging and priorities for action.
- (4) To recommend specific early action projects, if feasible, and to estimate costs and establish other requirements of such actions.

b. Scope of Work

The proposed scope of work involves preparation of a Master Plan and Action Program for Castleton Island Park and includes the tasks discussed below:

(1) Inventory

This task will include gathering, updating as necessary, and evaluating data as to natural and cultural features of the site and the adjacent environment, evaluating recreation facilities and demands in the area, and identifying specific opportunities and constraints affecting park use and development.

(2) Preliminary Policy Statement

Based on the inventory and consultation with State, local, and regional officials, a preliminary statement of policies will be prepared concerning the type and intensity of uses appropriate to the park.

(3) Alternate Plan Development

A number of alternative plans will be prepared illustrating various options and methods of accomplishing the preliminary policies. Included in each plan will be an analysis of its physical, management, and financial implications and identification of any significant obstacles to its accomplishment. It is recognized that a feasible solution to the type and level of access required to the site will be a major factor in all plans.

(4) Final Policies and Plan Selection

Based on evaluation of the alternatives, the preliminary policies developed in (2) above, will be reviewed and modified, if appropriate, to reflect the impact analysis. One alternative plan will then be selected for refinement.

(5) Master Plan

The selected alternative will be developed in sufficient detail to establish location and preliminary design of facilities and access, functional relationships, management and operation requirements, and preliminary costs. Also included will be an assessment of environment impacts and recommended priorities and staging of activities.

(6) Early Action Program

In order to begin implementation of the plan at an early date, necessary approvals and procedural steps will be identified. Also, initial physical actions which could be started at an early date will be identified and the means to achieve them explored.

Application: The Master Plan for Castleton Island will relate to Fish and Wildlife Policies 7, 7A and 9; Public Access Policies 19, 19A and 20; Recreational Policies 21 and 22; and Historic and Scenic Resources Policy 25.

3. **Landslide Susceptible Area Regulations**

The steep escarpment that divides the Hudson River floodplain from the upland areas includes silt and clay soils which are highly erodible. These highly erodible soils combined with 20% to 30% slopes present a severe development constraint. Much of these areas have been identified by the State Geological Survey as "Landslide Susceptible". The Town will review the State Geological Survey's identification of such areas and, to the extent necessary, adopt appropriate development regulations.

C. MANAGEMENT STRUCTURE TO IMPLEMENT THE PROGRAM

1. **Waterfront Advisory Committee**

To monitor and coordinate implementation of the Local Waterfront Revitalization Program, a joint Town/Village Waterfront Advisory Committee consisting of 9 members was established.

The Committee is constituted as follows:

a. Appointment

Members are appointed for a term of three years and are eligible for reappointment; except that at the outset, three members will be appointed for a term of three years, three for a term of two years, and three for a term of one year.

b. Organization and Procedures

The Commission establishes its own rules of procedure, subject to applicable law. The Chair shall be jointly appointed by the Mayor of the Village and the Supervisor of the Town.

c. Qualifications

Members are chosen for their demonstrated knowledge, ability, and readiness to serve the Committee in the functions described below.

d. Functions and Powers

The Committee's basic task will be to monitor and coordinate implementation of the LWRP, its projects, including physical, legislative, regulatory, administrative, and other actions included in the program. In pursuance of this task, the Committee will:

- (1) Advise the Town and Village Boards on implementation priorities, work assignments, timetables, and budgetary requirements of the program.
- (2) Review applications for coastal development permits, zoning changes, subdivisions, and public works projects in the waterfront area, and advise the appropriate agency.
- (3) Subject to approval of the Town or Village Board, make application for funding from State, federal, or other sources to finance projects set forth in the LWRP.
- (4) Maintain liaison with related Town and Village bodies, including but not limited to the Planning and Zoning Boards, and with concerned non-governmental bodies, in order to further the implementation of the LWRP.

- (5) On behalf of the Town and Village Boards, evaluate in a timely fashion proposed actions of State agencies within the waterfront area in order to assure consistency of such actions with policies of the LWRP, advise the Board(s) of any conflicts, and participate in discussions to resolve such conflicts.
- (6) Review proposed federal actions referred to it by the Department of State and advise the DOS as to its opinion concerning the consistency of the action with local coastal policies.
- (7) Develop and maintain liaison with neighboring municipalities and Rensselaer County agencies.
- (8) Prepare an annual report on progress achieved and problems encountered during the year, and recommend such actions as the Committee considers necessary for implementation of the LWRP.
- (9) Perform other functions relevant to the waterfront area as may be assigned to it from time to time.

e. Other Provisions

- (1) Members may be compensated at the discretion of the governing bodies. They will be entitled to reimbursement for necessary expenditures in the performance of their work, subject to budgetary limitations.
- (2) The Committee may engage such professional and clerical help and purchase such supplies and services as are necessary for its work, subject to prior budgetary approval by the Town and Village Boards.

3. **Lead Agency and Responsible Official**

The Waterfront Advisory Committee is responsible for overall coordination of the LWRP. The Chairman of the Commission will be designated as the local official responsible for initiating and coordinating actions necessary to implement the LWRP. Each local agency will determine the consistency of their actions with the LWRP, while the Waterfront Advisory Committee will advise State agencies as to the consistency of State and federal actions with the policies of the LWRP in accord with the procedures set forth in Appendix F.

**D. FINANCIAL RESOURCES TO IMPLEMENT THE LWRP**

Financial resources in varying amounts are required to implement the three types of actions in the LWRP--legal, administrative and physical projects. Resources necessary for the first two categories are relatively small and can be included in normal annual budget allocations, except for preparation of the Castleton State Park Master Plan.

Although the list of physical projects has been intentionally limited to those of highest priority, several are beyond the normal financial capacity of the Town or Village.

Section VI indicates various State and federal programs which may affect implementation of the LWRP, including some potential funding sources for specific physical projects.

It is recognized, however, that such funding is limited and competition for available funds is intense. Set forth below is the estimated cost of each proposed physical project, where available, and possible sources of funds to implement them. Pre-construction costs may be available from the New York State Department of State.

**1. Riverfront Walk**

a. Estimated Cost: \$500,000 for all 2,500 linear feet.

b. Possible Funding Sources

- New York State Department of Environmental Conservation
- New York State Office of Parks, Recreation and Historic Preservation
- Hudson River Foundation (Exxon Fund)
- New York Council on the Arts

**2. "Kill" Trail System"**

a. Estimated Cost: not specified

b. Possible Funding Sources

- Private developers as part of large scale development
- Utility Companies (for right-of-way)

3. **Castleton Business District Revitalization**
  - a. Estimated Cost: Dependent on specific rehabilitation costs.
  - b. Possible Funding Sources
    - U.S. Department of Housing and Urban Development
    - NYS Division of Housing and Community Renewal
  
4. **Maintenance Dredging**
  - a. Estimated Cost: Unknown
  - b. Possible Funding Sources
    - U.S. Army Corps of Engineers
  
5. **Scenic Overlooks**
  - a. Estimated Cost: To be included as part of highway construction
  - b. Possible Funding Sources
    - New York State Department of Transportation
  
6. **Dry Hydrants**
  - a. Estimated Cost: \$25,000
  - b. Possible Funding Sources
    - Village

**E. SUMMARY CHART OF ACTIONS AND POLICIES**

The following chart indicates the various implementing actions described in Sections IV and V, the Policies in Section III to which they are related, and the local, State, or federal agencies responsible.

## ACTIONS AND POLICIES: SUMMARY

### LOCAL WATERFRONT REVITALIZATION PROGRAM - SCHODACK/CASTLETON

ACTION (see text for description)	Related Policies	Responsible Agency (s)	Priority
<b>1. Physical Projects</b>			
a. Riverfront Walk	9, 19, 20, 21 22	VB/DEC	2
b. Kill Trail System	9, 19	VB/TB/PB	3
c. Business District Revitalization	1, 4, 5, 23	VB/COHNA/DHCR	2
d. Maintenance Dredging	21, 35	CE	2
e. Scenic Overlooks	21, 22, 25	VB/TB/DOT	2
f. Dry Hydrants	1	VB	1
<b>2. Legislation and Other Actions</b>			
a. Local Consistency Laws	All	VB/TB	1*
b. Create Waterfront Commission	All	VB/TB	1*
c. Extend Village Waterfront Zone	1, 2, 2A, 4, 5	VB	1*
d. Create Town Planned Waterfront Zoning District	5, 19, 20, 21 22, 25	TB	1*
e. Scenic Road Designation	23, 25	DEC/WC/DOT	2
f. Castleton Island Master Plan	7, 7A, 9, 19, 19A, 20, 21, 22	OPR/WC/TB	1

**\* Responsible Agency**

VB - Village Board  
 TB - Town Board  
 PB - Planning Board  
 DECS - NY Division of Housing and Community Renewal  
 DEC - NYS Department of Environmental Conservation  
 DOT - NYS Department of Transportation  
 OPR - NYS Office of Parks, Recreation and Historic Preservation  
 CE - US Army Corps of Engineers  
 P - Private Property Owners  
 WC - Waterfront Committee  
 COHNA - Castleton-on-Hudson Neighborhood Association

**\*\* Priority**

\* - necessary prior to final approval of LWRP  
 1 - high priority  
 2 - medium priority  
 3 - long range