

EXECUTIVE SUMMARY

Purpose. The purpose of a Local Waterfront Revitalization Program (LWRP) is to promote economic development and revitalization within the local waterfront area while assuring the protection and beneficial use of coastal resources therein.

Authority. The Waterfront Revitalization and Coastal Resources Act of 1981 (NYS Executive Law, Article 42) and the implementing rules and regulations for the Act (Part 600 NYCRR) authorize the preparation of Local Waterfront Revitalization Programs with financial and technical assistance from the NYS Department of State. Article 42 and Part 600 also require that all State agency actions proposed in a local waterfront area covered by an approved program be undertaken in a manner consistent, to the maximum extent practicable, with the policies and purposes of such program. In absence of an approved LWRP, State agency actions in the coastal area must be consistent with the forty-four (44) coastal policies set forth in the New York State Coastal Management Program (CMP). In essence, when an LWRP has been approved by the NYS Secretary of State, its policies and purposes are substituted for those of the CMP.

Steps. A draft LWRP is prepared following guidelines developed by the NYS Department of State. The draft assesses local waterfront conditions, identifies policies applicable to those conditions, proposes future land and water uses and projects for the local waterfront area and describes local means for implementing such policies, uses and projects. It also identifies State and Federal agencies that would be affected by or would be needed to implement the program, indicates those government agencies and other organizations consulted during preparation of the program and describes measures taken to assure local commitment to program implementation. A draft environmental impact statement (EIS) is prepared for the proposed local action of adopting the program.

Next, the draft LWRP is submitted to the NYS Department of State with resolution from the local governing body authorizing the submission. The Department of State, in turn, prepares a program summary and distributes copies of the summary and the draft LWRP to approximately 70 State and Federal agencies for their review and comment during a 60-day review period. Coincident with this review period, the local governing body provides for public review and comment on both the draft LWRP and the draft EIS.

The Department of State then assists the local governing body in preparing a final EIS and a final LWRP which address comments received on the draft EIS and the draft LWRP. When the local governing body has adopted the final LWRP and has enacted any local regulatory measures needed to implement it, the NYS Secretary of State and the U.S. Office of Oceanic and Coastal Resource Management are asked to approve the LWRP. Upon approval of the LWRP, all State and Federal agencies are required by law to undertake proposed actions in the local waterfront area in a manner that is consistent, to the maximum extent practicable, with the policies and purposes of the approved LWRP. The local government is similarly obligated by a local law enacted to assure consistency.

Summary of the Village/Town LWRP (draft). The nine sections of the draft Village of Waddington/Town of Waddington LWRP are summarized as follows:

SECTION I - WATERFRONT REVITALIZATION AREA BOUNDARY. The first section identifies the existing NYS Coastal Area Boundary and proposes revision of such boundary to include portions of the Village between NY Route 37 and St. Lawrence Avenue and east of Brookview Drive and Franklin Road. (A map of the existing and proposed boundaries is attached.)

SECTION II - INVENTORY AND ANALYSIS. This section inventories and analyzes natural resources (water, land, vegetation, fish and wildlife and scenic resources), community/cultural resources (development, public access and recreation, historic and archeological resources and agricultural resources), existing land and water uses and important economic activities in the waterfront area. For each category inventoried, the analysis discusses problems, issues and/or opportunities which have been addressed in later sections of the program.

SECTION III - LOCAL POLICIES AND APPLICABLE STATE POLICIES. Section III lists the 44 NYS coastal policies under the headings Development Policies, Fish and Wildlife Policies, Flooding and Erosion Hazard Policies, General Policy, Public Access and Recreation Policies, Scenic Resources Policies, Agricultural Lands Policy, Energy and Ice Management Policies, and Water and Air Resources Policies. Of the 44 State coastal policies listed, 40 are explained as applicable while 4 are identified as not applicable. Accompanying the State policies are 25 local policies aimed at providing greater specificity and additional coastal management capability. Where appropriate, guidelines are included to assist in applying the State and local policies.

SECTION IV - PROPOSED USES AND PROJECTS. Here, proposed future land and water uses are recommended for the Village and Town waterfront area. In the Village, the proposed land use pattern reflects that envisioned by the Village's existing zoning map with the exception that the public lands of the Ogdensburg Bridge and Port Authority on Clark Point are proposed for tourism/recreation commercial instead of industrial uses. Future water uses in the Village reflect a continuation of existing water uses, with slight expansion. In the Town, the proposed land use pattern follows the density and intensity of uses allowed by the Development Code except for lands held by the New York Power Authority. For the Authority's lands, which were not originally covered by the Development Code, proposed land uses are recommended based upon development suitability criteria comparable to those underlying the code. New water uses are proposed at Leishman Point.

Projects proposed in Section IV include Whittaker Park Improvements, Riverfront Park Improvements and a multipurpose pavilion for the Village and Waddington Beach Improvements for the Town.

SECTION V - TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM -
This section describes the local laws and regulations, other public and private actions, management structures and financial resources of the Village and Town for implementing the policies and purposes of the LWRP. The Village's existing zoning ordinance and sewer

ordinance provides partial implementation. Additional necessary amendments to the zoning ordinance included revising its purpose statement to include implementation of the LWRP'S policies and purposes, adding a waterfront overlay district wherein all uses except one- or two-family residential would be subject to the review of site development plans; adopting a new zoning map to confirm existing district boundaries; delineating the boundaries of the waterfront overlay district; and requiring site plan approval consistent with the LWRP policies prior to issuance of building permits, where applicable. A local consistency law was enacted to assure that Village actions in the waterfront area are no less consistent with the LWRP's policies and purposes than State and Federal actions must be.

For the Town, the Development Code and the Sanitary Code provides substantial regulatory implementation of the LWRP. However, the Development Suitability Map was revised to incorporate the previously excluded lands of the New York Power Authority, and the actual State and local policies of the LWRP are included as site plan review criteria in an appendix to the Development Code rather than being referenced to a separate document. Planning Board adoption of site plan review regulations and subdivision regulations pursuant to the authority granted to it by Town Board resolution and the Development Code itself provides the remaining regulatory implementation. Finally, the Town has adopted a local consistency law comparable to the one described above for the Village.

SECTION VI - FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION. This section identifies those State and Federal agencies which must act consistently with the approved local program, and those whose actions will be needed for the local program's implementation.

SECTION VII - CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES. Section VII simply lists the various agencies or organizations consulted regarding the preparation of LWRPs in general or specifically, regarding the Village/Town program.

SECTION VIII - LOCAL COMMITMENT. This section briefly describes the process undertaken to obtain local support for the program and commitment to its implementation.

Benefits of an approved Program

1. The program establishes (through its various policies) means of both protecting and enhancing local coastal resources within the framework of Village and Town regulations, projects and other implementation techniques.
2. State and approved Federal agencies will be required by law to be consistent with the local program's policies and purposes.
3. Financial and/or technical assistance will be available from the NYS Department of State to assist in implementation of the program.