

# **Town of Morristown and Village of Morristown Local Waterfront Revitalization Program**

**US Department of Commerce  
NOAA Coastal Services Center Library  
2234 South Hobson Avenue  
Charleston, SC 29405-2413**

***Adopted:***

Town of Morristown Town Board, November 13, 1990  
Village of Morristown Board of Trustees, November 7, 1990

***Approved:***

NYS Secretary of State Gail S. Shaffer, April 25, 1991

***Concurred:***

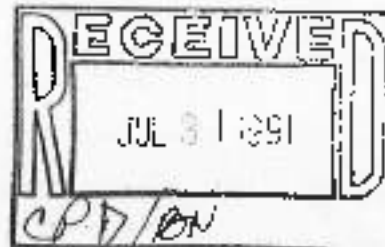
U.S. Office of Ocean and Coastal Resources Management, July 29, 1991

HT 168 .M67 T69 1991 C.2

This Local Waterfront Revitalization Program has been adopted and approved in accordance with the provisions of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42) and its implementing regulations (6 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a Routine Program Implementation has been obtained in accordance with the provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, 162 Washington Avenue, New York 12231.



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, N.Y. 12231-0001

CARL E. SHAFER  
SECRETARY OF STATE

July 29, 1991

Mr. James Burgess, Chief  
Coastal Programs Division  
Office of Ocean and Coastal  
Resource Management  
1825 Connecticut Avenue, NW  
Universal Building South  
Washington, D.C. 20235

*JCS*  
Dear Mr. Burgess:

To date, we have yet to receive OCRM concurrence on incorporation of the Village of Tivoli, Town and Village of Morristown, and Town and Village of Waddington Local Waterfront Revitalization Programs into the State's Coastal Management Program as routine program implementation actions. Receipt of the RPI request for the Tivoli LWRP was cited by OCRM in correspondence dated 5/17/91. Although similar letters were not received for the Morristown and Waddington LWRPs, the requests for OCRM concurrence were made in correspondence dated 5/17/91 and 5/21/91, respectively, and their receipt acknowledged by your staff.

Since eight (8) weeks or more has lapsed since these RPI requests were received by OCRM, pursuant to the provisions of 15 CFR Part 923.84, as of the date of this letter we presume concurrence by OCRM on the incorporation of the Tivoli, Morristown, and Waddington Local Waterfront Revitalization Programs into the State's Coastal Management Program as routine program implementation actions.

If you have any questions regarding this matter, please call Charles McCaffrey of this office at (518) 474-6000.

Sincerely,

*G.R.S.*  
George R. Stafford  
Director  
Division of Coastal Resources and  
Waterfront Revitalization



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, N.Y. 12231-0001

GAIL S. SHAFFER  
SECRETARY OF STATE

APR 25 1981

Honorable Ronald R. Wright  
Supervisor  
Town of Morristown  
P.O. Box 240  
Morristown, NY 13664

Dear Supervisor Wright:

It is with great pleasure that I inform you that, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act, I have approved the Local Waterfront Revitalization Program (LWRP) prepared jointly by the Town and Village of Morristown. The Town and Village are to be commended for their thoughtful and energetic response to opportunities presented along their waterfront.

I will notify State agencies shortly that I have approved the LWRP and will provide them with a list of their activities which must be undertaken in a manner consistent to the maximum extent practicable with the LWRP.

Again, I would like to commend both the Town and Village for their efforts in developing the LWRP and look forward to working with you in the years to come as you endeavor to revitalize your waterfront.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gail S. Shaffer", written in a cursive style.

Gail S. Shaffer

GSS:gn





STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, N.Y. 12231-0001

GAIL S. SHAFFER  
SECRETARY OF STATE

APR 23 1991

Honorable Michael Bogart  
Mayor  
Village of Morristown  
P.O. Box 249  
Morristown, NY 13664

Dear Mayor Bogart:

It is with great pleasure that I inform you that, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act, I have approved the Local Waterfront Revitalization Program (LWRP) prepared jointly by the Town and Village of Morristown. The Town and Village are to be commended for their thoughtful and energetic response to opportunities presented along their waterfront.

I will notify State agencies shortly that I have approved the LWRP and will provide them with a list of their activities which must be undertaken in a manner consistent to the maximum extent practicable with the LWRP.

Again, I would like to commend both the Town and Village for their efforts in developing the LWRP and look forward to working with you in the years to come as you endeavor to revitalize your waterfront.

Sincerely,

A handwritten signature in black ink, appearing to read "Gail S. Shaffer", written in a cursive style.

Gail S. Shaffer

GSS:gn

JUSTICES  
JAMES T. PHILLIPS JR.  
R-1, HAMMOND, NY  
WILLIAM BOGARDUS  
MORRISTOWN, NY  
TOWN CLERK  
BARBARA VANTASSEL  
MORRISTOWN, NY  
HISTORIAN  
LORRAINE BOGARDUS  
R-2, OGDENSBURG, NY

## Town of Morristown

RONALD R. WRIGHT  
BOX 123  
MORRISTOWN, NEW YORK 13664  
PHONE 375-8841 OR 375-6510

COUNCILMEN  
DAVID STOUT  
BRIER HILL, NY  
WILLIAM FARLEY  
R-2, OGDENSBURG, NY  
WILLIAM RUSSELL  
R-1, HAMMOND, NY  
JOHN WILSON, JR.  
R-1, HAMMOND, NY

March 20, 1992

Mr. Harlon Conger  
State of New York  
Dept. of State  
Div. of Coastal Resources  
162 Washington Ave., 4th Floor  
Albany, NY 12231

Dear Harlon:

The following is the resolution adopted by the Town Board at its November 13, 1990, meeting regarding the adoption of the LWRP:

BE IT RESOLVED that the town of Morristown institute Local Law #3 to set a minimum lot size for construction of 1 acre,

ALSO, BE IT RESOLVED that the Town of Morristown adopt a Local Law #4 to establish requirements and procedures for LWRP consistency in the decision-making of the Town of Morristown,

FURTHER, BE IT RESOLVED that the Town of Morristown adopt Local Law #5 to allow for site plan review.

BE IT RESOLVED that the Town of Morristown accept the final draft of the Local Waterfront Revitalization Program.

The motion was made by Councilman Stout, seconded by Councilman Wilson, to accept Local Law #3 to limit the minimum lot size to 1 acre, to accept Local Law #4 for consistency in the LWRP, and to accept Local Law #5 to allow for site plan review, also, to accept the final draft of the LWRP.

VOTING RESULTS:	Councilman Farley	aye
	Councilman Russell	aye
	Councilman Stout	aye
	Councilman Wilson	aye
	Supervisor Wright	aye

CERTIFICATION OF RESOLUTION

STATE OF NEW YORK            )  
                                  ) ss, :  
COUNTY OF ST. LAWRENCE    )

THIS IS TO CERTIFY THAT I, Barbara J. Van Tassel, Clerk of the Town of Morristown of the County of St. Lawrence, have compared the foregoing resolutions with the original resolutions now on file in this office, and which were adopted by the Town Board of the Town of Morristown of said County on November 13, 1990; and that the same is a true and correct transcript of said resolutions and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Town of Morristown of the County of St. Lawrence.

March 20, 1992

\_\_\_\_\_  
*Barbara J. Van Tassel*  
Barbara J. Van Tassel  
Town Clerk

Respectfully submitted,

*Barbara J. Van Tassel*  
Barbara J. Van Tassel  
Town Clerk



## VILLAGE OF MORRISTOWN

P.O. Box 249

Morristown, N.Y. 13664

Telephone (315) 375-8822

### Resolution of the Village Board of Trustees

#### Adopting the Village of Morristown Local Waterfront Revit- alization Program

WHEREAS, the Village of Morristown entered into a contract with the New York State Department of State, dated February 17, 1986 for preparation of a Local Waterfront Revitalization Program; and

WHEREAS, a Draft Local Waterfront Revitalization Program (DLWRP) was prepared under said contract with the guidance of the Waterfront Revitalization Program Advisory Committee and consulting assistance of the St. Lawrence-Eastern Ontario Commission; and

WHEREAS, a Draft Environmental impact Statement (DEIS) was prepared for the Local Waterfront Revitalization Program in accordance with the requirements of Part 617 of the implementing regulations of Article 8 of the Environmental Conservation Law; and

WHEREAS, a DLWRP and DEIS were referred to appropriate Local County, State, and Federal Agencies in accordance with State and Federal requirements; and

WHEREAS, a public hearing was advertised and held by the Mayor and Village Board of Trustees on March 14, 1989 to receive and consider comments on the DLWRP and DEIS; and

WHEREAS, a Final Environmental Impact Statement (FEIS) was prepared and accepted by the Mayor and the Village Board of Trustees as complete on March 30, 1990.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Village Board of Trustees of the Village of Morristown, New York, that the Local Waterfront Revitalization Program for the Village of Morristown is hereby approved and adopted.

Resolution passed at a regular meeting of the Village Board of Trustees on November 7, 1990.

Dated: November 13, 1990

Linda M. LaPlante  
Village Clerk

## ACKNOWLEDGEMENTS

### Village of Morristown

Mayor: Michael Bogart  
Trustees: Philip Barse  
Michael Moore  
Clerk: Linda LaBlanc

### Town of Morristown

Supervisor: Ronald Wright  
Councilmen: William Farley  
William Russell:  
David Stout  
John Wilson  
Clerk: Mary Newby

### Waterfront Advisory Committee

Chairperson: Gloria Scott Johnson  
Members: Irving Bailey, Jr.  
Lorraine Bogardus  
Michael Bogart  
Ina Cree  
Jerry Cring  
Gerald Durant  
Mary Ellen Duore  
William Farley  
Scott Frasier  
Patrick Hackett

Richard Johnson  
Robert LaRock  
Michael Looney  
Penny Mead  
Shirley McDonald  
Michael Moore  
Stephen Robinson  
Stephen Spilman  
David Stout  
Ronald Wright

### Consultant: St. Lawrence-Eastern Ontario Commission

Chairman:  
Executive Director:  
Project Manager:  
Project Associates:

Francis Healey  
Daniel Palm  
Rodney McNeil  
Thomas Cutter  
Douglas Quinn  
Kenneth MacDonald  
Laurie Beckstead  
Kathryn Carroll

## TABLE OF CONTENTS

<u>SECTION</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
--	Executive Summary	
I	WATERFRONT REVITALIZATION AREA BOUNDARY	I-3
II	INVENTORY AND ANALYSIS	II-3
III	LOCAL POLICIES AND APPLICABLE STATE POLICES	III-5
IV	PROPOSED USES AND PROJECTS	IV-3
V	TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM	V-3
VI	FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION	VI-1
VII	CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES	
VIII	LOCAL COMMITMENT	VIII-3
 <u>APPENDICES</u>		
A	Procedural Guidelines for Coordinating NYS & LWRP Consistency Review of Federal Agency Actions	A-1
B	Guidelines for Coordinating Reviews of Proposed State and Federal Actions	B-1

### LIST OF FIGURES

<u>FIGURE NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1a	American Island Pools	II-19
1b	Chippewa Creek Marsh	II-21
2	Jacques Cartier State Park	II-35
3	Chapman Park	II-37
4	Bayside Park Vicinity	II-39
5	Bayside Park - Phase I	IV-13
6	Bayside Park - Phase II	IV-15
7	Bicycling/Jogging Path	IV-17
8	Stone Windmill Restoration	IV-19
9	Main Street Bridge Removal	IV-21
10	Existing Zoning Schedule	V- 5
11	Existing Zoning Map	V- 7
12	Proposed zoning Map	V-25

### LIST OF TABLES

<u>TABLE NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1	Summary of LWRP Policy Implementation	V-24

## LIST OF PLATES

<u>PLATE NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1a	Entire Waterfront Area (NYS DOT 1:24,000) Coast Area Boundary Map	I- 5
1b & 1c	Waterfront Area Boundary Map	I- 7
2a & 2b	Water and Land Resources Inventory	II-54 & 56
3a & 3b	Water and Land Resources Analysis	II-58 & 60
4a & 4b	Vegetation, Fish & Wildlife and Scenic Resources Inventory	II-62 & 64
5a & 5b	Vegetation, Fish & Wildlife and Scenic Resources Analysis	II-66 & 68
6a & 6b	Development inventory	II-70 & 72
7	(Village/E. Town) Development Analysis	II-74
8a & 8b	Public Access, Recreation, Historic and Archaeological Resources Inventory and Analysis	II-76 & 78
9a & 9b	Existing Land & Water Uses	II-80 & 82
10	(Village/E. Town) Existing Land & Water uses Analysis	II-84
11a & 11b	Proposed Land and Water Uses	IV-5 & IV-7
12	Wastewater Collection and Treatment System	V-27



## PREFACE

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 of Coastal Areas and Inland Waterways Act (NYS Executive Law, Article 42) and the implementing of 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 the 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 a 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 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 Ocean 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      The eight sections of the Village of Morristown/Town of Morristown LWRP are summarized as follows:

**SECTION I- WATERFRONT REVITALIZATION AREA BOUNDARY.** The first section identifies and clarifies both the landward and waterside boundaries of the local waterfront area.

**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 should be addressed in later sections of the program.

**SECTION III- WATERFRONT REVITALIZATION PROGRAM 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 28 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 would generally reflect the existing zoning map, but with adjustments to reflect the availability of public sewage collection and treatment facilities, greater emphasis on small harbor development and promotion of highway-related commercial development near the eastern limits of the Village. Proposed land uses in the Town would mostly represent a continuation of existing uses, but with new emphasis on highway-related commercial development along NY Route 37 between the Village's eastern limits and English Settlement Road.

Projects proposed in the Village consist of Bayside Park improvements, old windmill restoration, Main Street bridge removal (with at-grade street replacement) and bicycle/jogging path development. Bicycle/jogging path development along River Road is a proposed Town project.

**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 necessary to implement the LWRP. The section also describes additional local laws which were specifically erected to implement the program, such as amendments to the Village's zoning ordinance. The amendments to the zoning regulations included the adjustment of zoning district boundaries to reflect future land uses as proposed in Section IV, a waterfront review (overlay) district, and site plan review regulations using the LWRP policies as review criteria. Town regulatory measures consist of the site plan review regulations (with the LWRP policies as review criteria) applied just to the waterfront area and mobile home regulations.

Other Village and Town implementation measures are identified in this section. They include: means of financing proposed projects, studies and plans; management responsibilities of local officials; and, descriptions of local and State/Federal consistency reviews.

**SECTION VI - FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT IMPLEMENTATION.** This section identifies those State and Federal agencies which must act consistently with the local program, once approved, and those whose actions would 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 LWRP's 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 Federal agencies will be required by law to be consistent with the local program's policies and purposes once it has been approved.
3. Financial and/or technical assistance will be provided, when available, by the NYS Department of State to assist in implementation of the program.

**SECTION I**

**WATERFRONT REVITALIZATION AREA BOUNDARY**

## SECTION I- WATERFRONT REVITALIZATION AREA BOUNDARY

The State's Coastal Management Program has established statewide coastal boundaries in accordance with the requirements of the Coastal Zone Management Act of 1972, as amended, and its implementing rules and regulations. The landward Coastal Area Boundary delineates the inland extent of the Town of Morristown and Village of Morristown waterfront areas -- henceforth referred to jointly as the "local waterfront area." Since Town and Village authority to implement a Local Waterfront Revitalization Program is confined to the area within their respective corporate limits, it was necessary to define the waterside (riverward) extent of the local waterfront areas as well. The existing landward and waterside boundaries are shown on Plates 1a, and 1b. (The partial descriptions in quotes are excerpts from the NYS coastal Area Boundary description.)

### Landward Boundary

#### 1. Along Chippewa Creek

Beginning at a point approximately 1380' southeast of Sand Road, on the Town of Morristown/Town of Hammond common municipal boundary; thence southeast along said boundary to Chippewa Creek;

"thence northeasterly (along Chippewa Creek) to Ireland Road to a point approximately 4,500' from N.Y. 37; thence northwest on Ireland Road to a point approximately 1,500' northwest of the bridge over Chippewa Creek; thence southwest along the top of the bluff..." to the point of beginning.

#### 2. Along the St. Lawrence River

Beginning at the point of intersection of the Town of Morristown/Town of Hammond common municipal boundary with the mean high water line of the St. Lawrence River; thence southeast along said boundary to a point 1000' southeast from N.Y. Route 12;

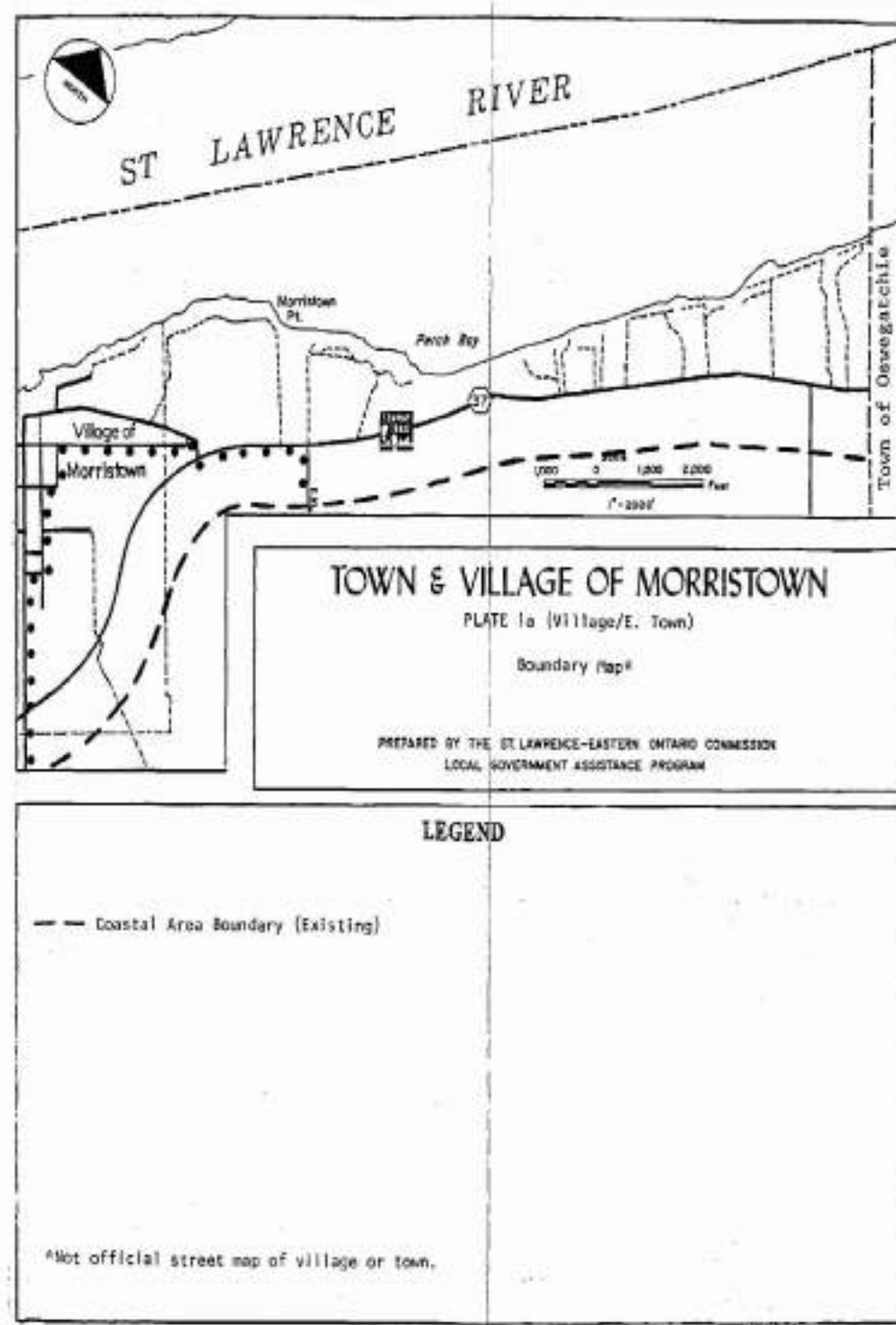
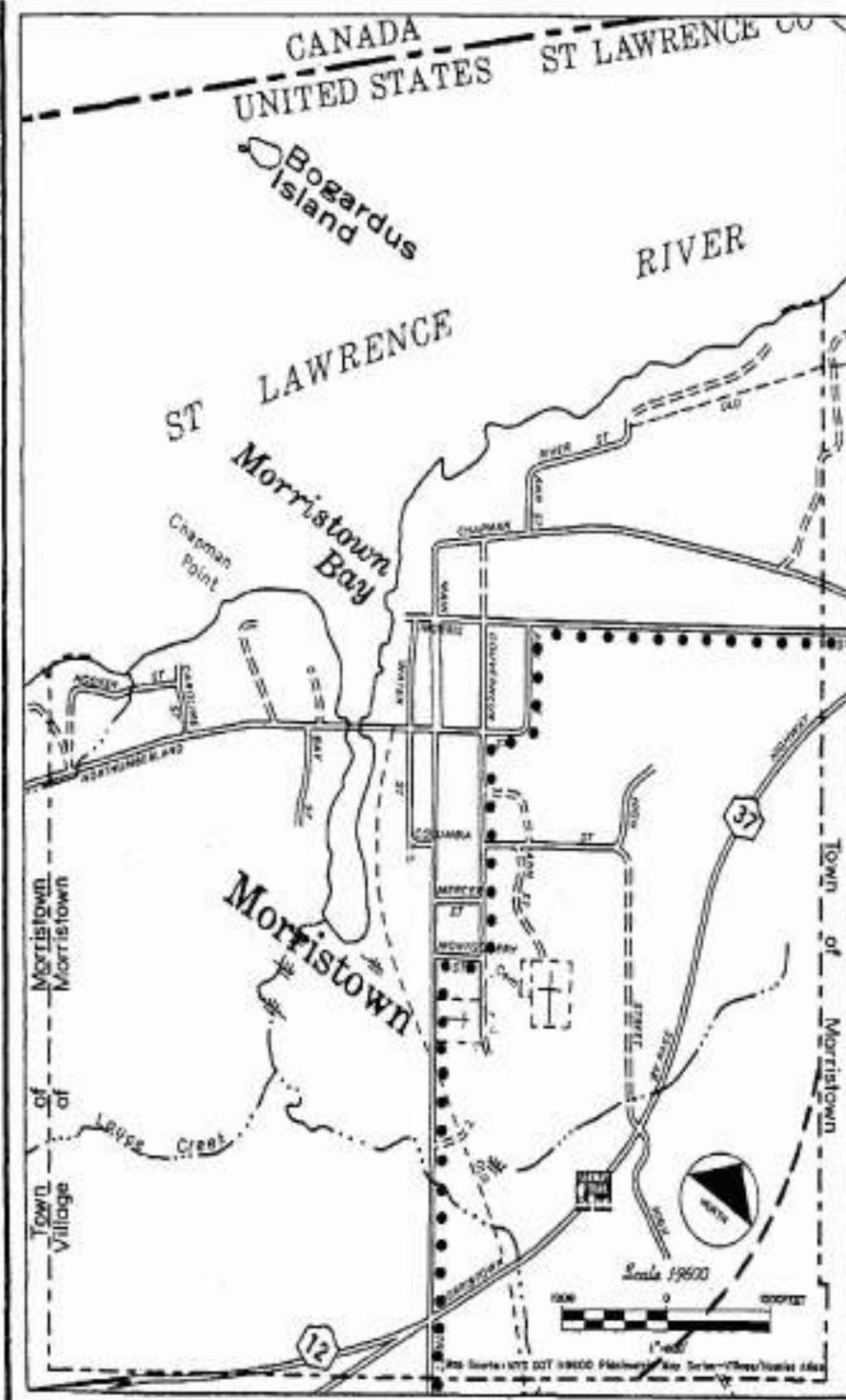
"...thence northerly and easterly along the Route 12 setback to the western boundary of Jacques Cartier State Park; thence southeast, east and north around the State Park boundary to a point 1,000' south of N.Y. Route 12; thence easterly and northerly on the N.Y. Route 12 setback into the Village of Morristown to the junction of N.Y. Route 12 and N.Y. Route 37; thence northerly and easterly on a line 1,000' inland of N.Y. Route 37..."

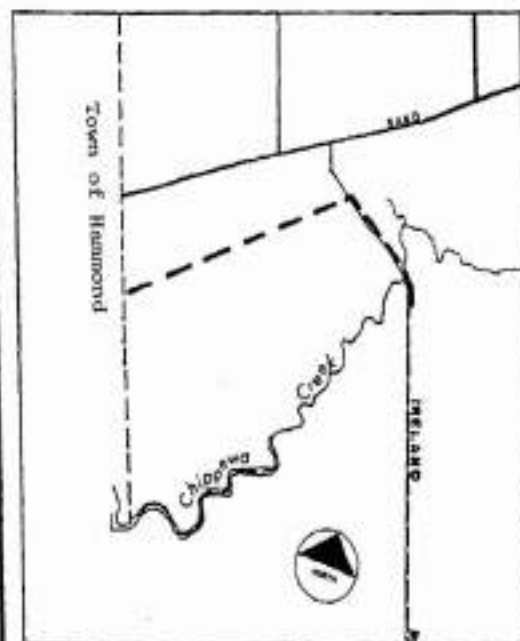
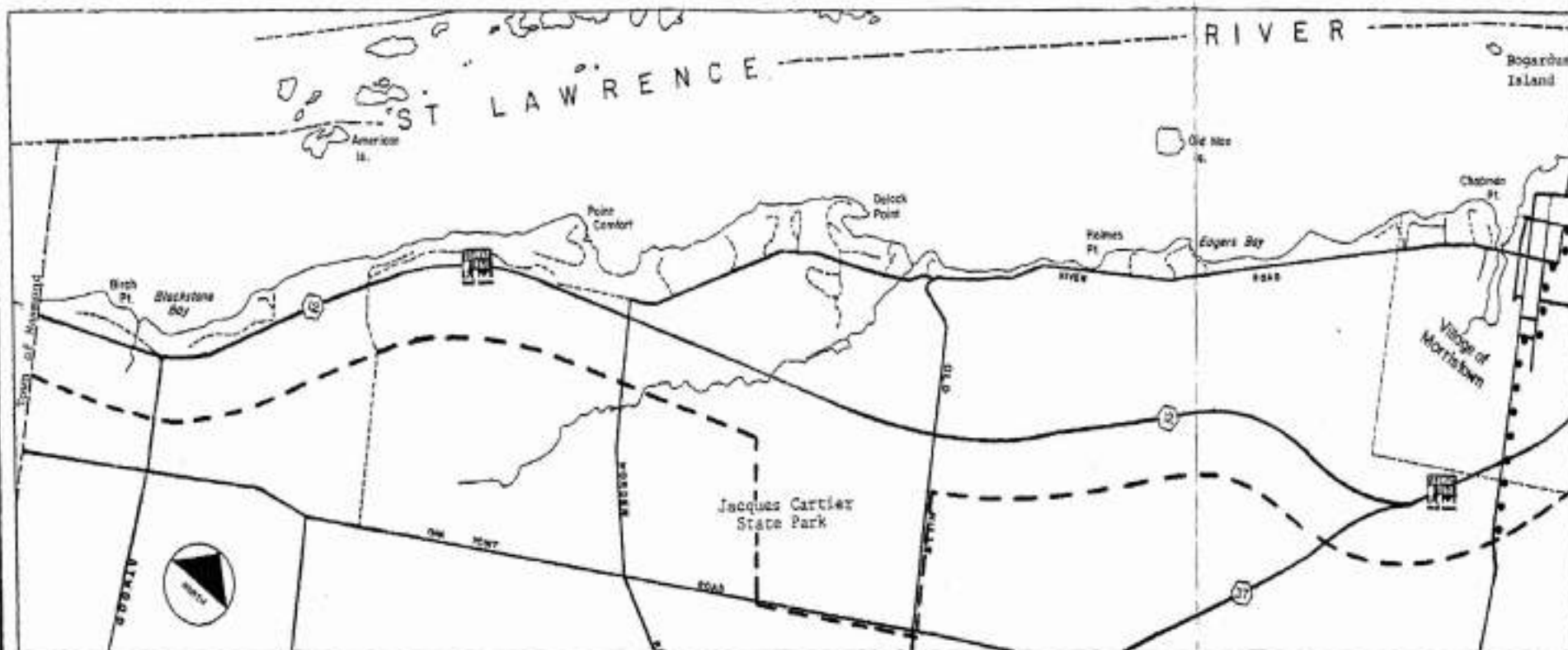
to the Town of Morristown/Town of Oswegatchie common municipal boundary; thence northwest along said boundary to its point of intersection with the mean high water line of the St. Lawrence River; thence following said water line southwest and west along the shores of the Town of Morristown and Village of Morristown to the point of beginning.

#### Waterside Boundary

Beginning at the point of intersection of the Town of Morristown/Town of Hammond common municipal boundary and the mean high water line of the St. Lawrence River; thence northwest along said municipal boundary to the International Boundary thence northeasterly along the international Boundary to the Town of Morristown/Town of Oswegatchie common municipal boundary; thence southeast along said municipal boundary to its point of intersection with the mean high water line; thence southwesterly following the mean high water line along the shores of the Town of Morristown and Village of Morristown to the point of beginning.







# LEGEND

- Coastal Area Boundary (Existing)
- • Coastal Area Boundary (Proposed)

\*Not official street map of village or town.

## TOWN OF MORRISTOWN

PLATE 1b (W. Town)

Boundary Map

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

Scale 1:24,000



1" = 2000'

1-7



**SECTION II**  
**INVENTORY AND ANALYSIS**

## SECTION II- INVENTORY AND ANALYSIS

A two-stage process was used to inventory and analyze coastal resources and conditions within the local waterfront area. In the first stage, the waterfront was examined broadly to identify significant resources, associated problems and opportunities, applicable policies and expected means of policy implementation. Published reports, tax maps, the NYS Coastal Atlas, U.S.G.S. topographic maps, air photos, field investigations and discussions with the Town/Village Waterfront advisory committee provided the necessary information. An "Overview Memorandum" to the NYS Department of State (DOS) outlined the first stage results and provided scope for the overall Local Waterfront revitalization Program. Those resources and conditions identified in the memorandum as most significant were then examined in greater detail in the second stage of the inventory and analysis. The combined results from the two stages are presented below under the principal headings of NATURAL RESOURCES, COMMUNITY/CULTURAL RESOURCES, EXISTING LAND AND WATER USES, AND IMPORTANT ECONOMIC ACTIVITIES.

### PART 1 NATURAL RESOURCES

#### A. Water Resources.

1. **Inventory.** (See Plates 2a and 2b). The principal surface waters of the local waterfront area are the St. Lawrence River, Morristown Bay and Chippewa Creek. Other surface drainage ways or intermittent streams are present but, of these only Louce Creek merits attention due to its relationship to Morristown Bay.

a. **St. Lawrence River.** Flowing from southwest to northeast, the river defines roughly 9 ½ miles of shoreline in the waterfront, exclusive of islands. About 1 mile of this shoreline lies within the Village, and perhaps 1/3 of that encompasses Morristown Bay. Upstream from the bay, the river exhibits a slightly irregular shoreline, numerous shoals, broad shallows (depths less than 18 ft.) and occasional troughs (depths over 30 ft.). These characteristics are most evident between the mainland and the American Islands. Downstream from Old Man Island the shoreline is more regular and the littoral waters (shallows) are generally narrow bands hugging the shore. Away from the shore, the bottom drops off quickly to depths ranging from 40 ft. to over 90 ft. With the exception of Bogardus Island (opposite the mouth of Morristown Bay), islands and shoals are absent in this stretch of the river. All of the river within the local waterfront area has a Class A (FN 1) water quality rating.

b. **Morristown Bay.** Morristown Bay is a narrow, 16½ acre embayment open to the deeper waters of the river. The Northumberland Street bridge crosses the bay, dividing it into an outer (northerly) bay and inner (southerly) bay. With depths ranging from 5 or 6 feet at the bridge to 18 feet or more at the mouth, the

outer bay is navigable by larger watercraft. On the other hand, the inner bay becomes increasingly shallow as one moves towards its southerly end. Average depths range from 2 to 4 feet. During the Spring and Fall, heavy surface runoff flows into the southwest corner of the main bay via an intermittent stream known locally as Louce Creek. This seasonal inflow provides some cleansing action such that a slightly deeper, though ill-defined channel is maintained along the inner bay's westerly side. The overall water quality classification for Morristown Bay is Class C. (FN2).

c. **Chippewa Creek.** This stream flows year-round through the middle of the Town parallel but opposite to (northeast to southwest) the St. Lawrence River. Eventually it empties into Chippewa Bay in the Town of Hammond. Only the section of Chippewa Creek situated between Ireland Road and the Town's southwestern boundary lies within the NYS Coastal Area. Its depth varies seasonally with an average of about 2 feet, making it navigable only by canoe or flat-bottomed boat. Chippewa Creek has a water quality classification of Class C.

d. **Other surface waters.** The remaining surface waters of the local waterfront area consist of several intermittent streams or drainage ways flowing directly into the river or, in the case of Louce Creek (also known as Lossee Creek), into Morristown Bay. While the others have water quality classifications of D(FN3) due to very low flows, Louce Creek is classified C for a short distance upstream from its mouth and a D classification further upstream. Louce Creek drains most of the southern portion of the Village and a small area of the Town to the south and southwest of the Village.

e. **Groundwater.** Groundwater is found in relative abundance via drilled wells within the waterfront. Deep gravel beds and, more commonly, fractures and seams in the underlying bedrock have supplied ample potable water to areas not served by the Village's water distribution system. Wells usually reach water between 50 and 125 feet below the surface. In a few cases, water is reached at 30 ft., and occasionally a well will prove artesian.

2. **Analysis.** (See Plates 3a and 3b). The water resources of the local waterfront area are considered highly significant for the Local Waterfront Revitalization Program. Surface waters of the St. Lawrence River, Morristown Bay and Chippewa Creek offer fish and wildlife habitats, opportunities for water-based recreational activity and, consequently, the basis for a small but important tourism economy. The river serves as the Village's water supply source whereas Morristown Bay provides a protected small harbor as a focal point for tourism activity and waterfront development. Together, the river and the bay define a distinctive coastal setting. Outside of the area served by the Village's water system, groundwater is also a vital resource. Local officials, with input

from the Waterfront Advisory Committee, have identified the following problems, issues and opportunities:

a. **Septic system leachate.** Development in the Town has relied entirely on individual sewage disposal systems. Given the prevalence of shallow soils overlying bedrock accompanied by seasonally highwater tables, it is also likely that a fair number of these individual systems are unable to provide adequate treatment, especially in areas where development is concentrated. Leachate from some individual septic systems undoubtedly reaches the river with limited cleansing from percolation. No other non-point sources of water pollution have been identified.

b. **Inner Morristown Bay stagnation.** Inner Morristown Bay lacks sufficient cleansing action from the river or from Louce Creek inflows to counteract the rapid growth of aquatic vegetation. Local officials believe that deposition of silt carried by Louce Creek and constriction by the Northumberland Street bridge are responsible for the eutrophication. Water quality engineers from Region 6 of the NYS Department of Environmental Conservation (DEC) attribute the stagnation to the natural progression of the inner bay to emergent marsh. They concede, however, that the factors cited by local officials could be accelerating the rate of that progression.

c. **"Best usage" of surface waters.** All of the existing water quality classifications are deemed appropriate in terms of best "usage", with the exception of outer Morristown Bay. The St. Lawrence River should be maintained as Class A since the Village draws its water supply from it. The intake is located west of Chapman Point off the end of Caroline Street. Inner Morristown Bay is a locally important area for fish propagation and, thus, should retain its C classification. Louce Creek and the other surface drainage ways have no value for consumption, recreation or propagation of fish species and should remain as Class D. Outer Morristown Bay, on the other hand, is used for contact recreation (swimming) off the Village's shoreline park. Its classification would be more appropriate as Class B. The recently completed public sanitary sewer system and a treatment plant should make the higher rating more tenable.

d. **Reliance on groundwater.** While the vast amount of water in the river faces no measurable threat to water quality from individual septic systems, groundwater supplies are more finite and face a potentially greater threat. Heavy concentrations of year-round or seasonal residences and uses requiring large quantities of water or producing large volumes of effluent could jeopardize the quality and, possibly, quantity of groundwater available to areas of existing development. Waterfront areas not served by the Village's water system must be wary of such concentrated development and major uses either as single projects

or as the collective results of long term development. No actual shortages or groundwater contamination have been identified to date.

**e. Other issues.** No problems involving vessel wastes have been identified. Nevertheless, the Village is considering the potential for pumpout facilities at the municipal docks. Such facilities could be tied directly into the recently completed sewer system.

Dredging and dredge spoil disposal are likely to be an issue should any Village or private development proposal involve dredging of inner Morristown Bay. Dredging to maintain the ill-defined channel is a possibility, but unlikely proposal due to costs. Blasting and dredging at Wright's Marina on the river around from the downstream corner of the bay is much more likely. Although the work was not undertaken, previous Corps of Engineers and DEC permits were issued.

As in many of the St. Lawrence River communities, the potential for oil spills from tankers moving along the Seaway channel is a local concern. A major spill in the section of river immediately upstream from Morristown could cause significant damage to fish and wildlife habitats along the river and in Morristown Bay. Swimming at Jacques Cartier State Park and at the village's shoreline park would likewise be affected. The local tourism economy could be adversely impacted if marinas, nearshore businesses and shoreline property owners had to curtail activities and contend with clean-up of a spill.

Solid wastes do not pose a measurable threat to water quality in the local waterfront area. In the Village municipal refuse collection is provided. Refuse is hauled to a transfer site and taken to a landfill outside the coastal area by private contractor. In the Town, the individual property owners take their refuse directly to the transfer site.

## **B. AIR RESOURCES.**

Neither the Town nor the Village lies within an Air Quality Attainment Area. No air pollution problems or issues have been identified.

## **C. LAND RESOURCES**

### **1. Inventory. (See Plates 2a and 2b).**

**a. Bedrock Geology.** The oldest underlying bedrock is Pre-cambrian granitic rock of the Greenville Formation (igneous and metamorphosed rock) perhaps over a billion years old and characteristic of the Frontenac Axis that underlies the Thousand Islands region. Overlying this formation is the Potsdam Sandstone Formation. Deposited in an inland sea over 500 million years ago, this formation



contains the oldest Cambrian sedimentary rock in the area. Intermittent outcrops of the Potsdam sandstone are present. Calcareous and dolomitic sandstone of the Theresa Formation cover the Potsdam sandstone, and may be seen in local outcrops. This formation was deposited during the late Cambrian and early Ordovician Periods, 475 to 550 million years ago. Finally, the Ogdensburg Dolomite Formation was deposited 450 to 500 million years ago during the Ordovician Period. This type of bedrock is the dominant type of outcrop in the area.

**b. Surficial geology.** The local waterfront area lies within the St. Lawrence Lowlands surficial geological province. After a series of glacial advances and retreats over the vicinity, the last period of glaciation (Wisconsin) gorged, carved and shaped the present landform with a mantle of debris deposited as the glacial masses melted away. This glacial debris is the principal parent material for area soils. Isostatic rebound of the underlying bedrock after removal of the massive weight of ice has uplifted the land at a rate of .75 to 1.00 feet per century. Before rebounding to become land surfaces, post-glacial marine inundation deposited fine-textured sediments in the calm waters of the St. Lawrence-Champlain Gulf where freshwater and salt water met. This deposition produced a general distribution of shallow, clay soils overlying bedrock.

**c. Soils.** Extremely shallow, stony (or rocky) soils overlying bedrock and frequent bedrock outcrops characterize vast areas of the local waterfront area. These soils are generally 10 to 20 inches deep, excessively drained, moderately permeable and subject to only slight erosion hazard. West of the Village they are usually Insula-Rock Outcrop Complex (rolling), interspersed with small areas of Insula fine sandy loam (very rocky), Benson-Gallo Outcrop Complex and Ruse loam (poorly drained within slopes) accompanied by Benson-Gallo Outcrop complex. Small pockets of loam, silt loam or fine sandy loam are scattered around the waterfront, typically more inland of the shallow soils discussed above. These loams are somewhat deeper, moderately well to somewhat poorly drained, moderately permeable and have either slight or improbable erosion hazard. The Galway, Hogansburg (stony fine sandy) and Newstead loams found on gentle slopes (0-3%) within and east of the Village's eastern boundary and in the area of NY Route 37 and Scotch Bush Road are considered prime agricultural soils by the USDA Soil Conservation Service. The largest single area of prime agricultural soils consists of the Muskellung Variant silt loam (0-3% slope) lying within the southernmost portion of the State park.

**d. Topography.** As they were eventually uplifted, the bedrock surficial deposits and overlying soil material produced a somewhat level to rolling terrain except where sharp changes in elevation were associated with downward cutting of the St. Lawrence River and variation in the underlying bedrock. The most pronounced topographic relief is found along the river west of the State Park and

within the Village east of Morristown Bay. All of the shoreline is characterized by low-lying bluffs except a short high bluff stretch at the extreme westerly end of the waterfront and two extremely small stretches of low plain.

2. **Analysis.** (See Plates 3a and 3b). Associated with the land resources of the local waterfront area are the following problems, issues and opportunities:

- a. **Limitations imposed by bedrock.** Bedrock and rocky soils have posed serious problems for construction of structures with basements and installation of underground utilities. Storm sewers and water lines have usually been installed only after substantial blasting. A vacuum sewage collection system was installed in the Village to minimize the need for blasting over an extensive area.

- b. **Limitations imposed by shallow soils.** The thin layer of soil material is accompanied by a seasonally high water table such that no soil type in the local waterfront area is considered suited to conventional septic systems. Much of the waterfront has excessively drained, stony or rocky sandy loam where percolation is too rapid to remove impurities adequately from septic system leachate.

- c. **Limitations imposed because of slope.** Although generally steep slopes have presented development obstacles near the river and the bay, only the steepest slopes and very sharp elevation changes associated with outcropped and underlying bedrock have been prohibitive to development. Numerous year-round and seasonal residences hug the lesser slopes close to the river and have proven gentle enough to permit the construction of River road to the west of Morristown Bay and Riverview Drive to the east. Steeper slopes to the southerly or landward side of these roads have typically discouraged development. Some of the slope along the east side of the Morristown Bay has been covered by lawns and, in a few cases, structures. Most of it, however, is undeveloped forest brushland (to the south) or vacant, deteriorated waterfront (to the north) where the combination of shallow depth to bedrock, previous lack of sewers, and steep slopes have inhibited construction.

- d. **Use of prime agricultural soils.** The prime agricultural soils in the local waterfront area are neither extensive nor used significantly for agricultural production. About one-half of the total distribution of these soils lies within the State Park and the Village. Farming activity on the remainder is marginal at best. Large tracts of prime agricultural soils can be found in the Town outside the waterfront. Substantial farming occurs there. In spite of the limited extent of prime farmland and small amount of actual farming, much of the land to the south of NY Routes 12 and 37 lies within an agricultural district.

- e. **Erosion hazard.** No soils within the waterfront have been identified as subject to serious erosion hazard. From a 1977 shoreline study conducted by the

St. Lawrence-Eastern Ontario Commission (FN4), a 500 foot segment just west of Chapman Point was pointed out as historically demonstrating some shoreline erosion. Local officials, however, note that this area does not currently appear to be subject to active shoreline erosion. Because of the very rocky nature of the St. Lawrence River shoreline along this area of the River, shoreline erosion is not an issue for the Morristown waterfront area. Wind driven wave and ice action, however, does present problems for man-made shoreline structures.

**f. Flooding.** A very narrow strip along the entire shoreline is subject to flooding according to its designation as Flood Hazard Area (floodplain) under the National Flood Insurance Program. Little variation in the width of the floodplain is evident in either the Town or Village except for a slight increase in its extent along the river north of Ann Street and near the southeast corner of inner Morristown Bay, west from Montgomery Street. The widest floodplain in the local waterfront area lies in the Town along Chippewa Creek. No actual flood damage to structures or other property has been identified. The shoreline cottages are typically located above the floodplain, resting over the flatter, raised bedrock foundation. Of the few structures situated within the floodplain, most consist of docks, piers and boathouses.

**g. Elevated views.** The dramatic contrast in elevations near the shoreline has created opportunities for elevated views of the river. Such views are discussed in greater detail under Scenic Resources, later in this section.

#### **D. VEGETATION**

##### **1. Inventory.** (See Plates 4a and 4b).

**a. Forest.** Substantial areas of forest vegetation are found within the Town's waterfront along NY Route 37. West of the Village, the larger stands of mature trees (mostly deciduous with pockets of conifers) cover lands east of Atwood Road and in the vicinity of Jacques Cartier State Park. To the east of the Village, most of the area south of NY Route 37 is forested, as is a smaller area east of English Settlement Road. One sizeable stand of trees traverses the Village's western boundary.

**b. Forest brushland.** Excluding developed areas along the river and in the Village and further excluding the few active agricultural lands and vacant or inactive agricultural lands, most of the non-forested area falls into the forest brushland category. Meadow grasses, thickets of woody shrubs, saplings and scattered mature trees are prevalent. The most extensive portions of waterfront with forest brushlands lie between the State Park and the Village's western boundary and straddling the village's eastern boundary.



c. **Wetlands.** A series of relatively small wetlands lie at various points along the south sides of NY Routes 37 and 12 and to the south and west of Morristown Bay. The largest single wetland follows Chippewa Creek west of Ireland Road. On the other hand, the smallest wetland area is found along the shallows at the south end of Morristown Bay. Although too small to be included as a designated wetland pursuant to the Wetlands Act and 7 NYCRR Parts 661 through 664, this wetland is important for the wildlife habitat it provides and the removal of sediment and impurities entering the south end of the bay.

d. **Aquatic vegetation.** As noted previously, the growth of aquatic plants in the portion of Morristown Bay has been profuse. The dense submerged plant life and proliferation of floating species bear witness to the extent of eutrophication there. The depth of water over the submerged aquatic plants increases progressively from the Northumberland Street bridge to the mouth of the bay. Beyond the mouth, aquatic vegetation diminishes rapidly as depths exceed 18 feet, water and shoal areas offshore from the western part of the waterfront host vast weedbeds where the height, density and variety of aquatic plants likewise decrease with greater depths. Narrower bands of weedbeds hug the shoreline of the local waterfront areas east of Morristown Bay.

2. **Analysis.** (See Plates 5a and 5b). With the exception of inner Morristown Bay, the vegetation of the waterfront area involves opportunities as opposed to problems or issues.

a. **Eutrophication of inner Morristown Bay.** Local officials view the eutrophication of the inner bay as more than a natural progression to emergent marsh. Siltation and constriction by the bridge crossing are thought to compound the problem of low inflows from Louce Creek. Fishing activity within this part of the bay has declined progressively as a result of the increased difficulty boats have encountered in navigating the heavy weed growth.

b. **Opportunities presented by forest and forest brushland areas.** The forested lands in the vicinity of the State Park provide opportunities for camping, hiking, hunting and other outdoor recreation activities. These and other wooded properties of the local waterfront area also contribute to the natural beauty of the coastal setting, sustain the rural character in general and support various species of birds and small game. Forest brushlands, on the other hand, provide somewhat contrasting openness and additional wildlife habitat. Given the extent of shallow, stony soils, the numerous bedrock outcrops, the limited development pressure and the marginal level of agricultural activity within the waterfront, the natural progression of meadow and shrubs to forests is likely to continue.

c. **Opportunities afforded by wetlands.** In general, the wetlands within the local waterfront area offer wildlife habitat, slow the rate of surface runoff, provide groundwater recharge and remove sediment and impurities from the waters passing through them. Hunting, trapping, bird watching and hiking activities are made possible by these resources. The south end of Morristown Bay -though not a designated wetland - and the Chippewa Creek wetland are particularly important as fish and wildlife habitat areas.

d. **Designated wetlands.** (see Plates 5a and 5b.) Pursuant to the NYS Freshwater Wetlands Act ( Environmental Conservation Law, Article 24), the NYS Department of Environmental Conservation has filed the final wetlands maps for St. Lawrence County. Portions of three of the designated wetlands lie within the Town's waterfront area, and a portion of one of the designated wetlands lies within the Village's waterfront area. The significance of these four wetland areas is indicated below by their classifications and sizes.

1. HA-2. This Class II Wetland follows Chippewa Creek west of Ireland Road. In total, this open water, emergent marsh wetland is comprised of 402 acres and is the third largest in the County. Less than one-quarter of it is within the Town of Morristown Local Waterfront Area.
2. MT-1. This Class III deciduous wetland is located approximately three-quarters of a mile east of Atwood Road and adjacent to Route 12. Approximately one-quarter of the 24 acres in this wetland is located within the Town of Morristown Local Waterfront area.
3. MT-5. This Class II wetland is bisected by Route 37 just east of the southern entrance ( Main Street) to the Village. This wetland contains 29 acres in total, approximately one-third of which is located within the Village of Morristown Local Waterfront Area.
4. EV-1. This Class III deciduous swamp wetland is visible from Route 37 (Seaway Trail) approximately one-third of a mile east of English Settlement Road. In total, it contains 40 acres, approximately one-quarter of which is located within the Town of Morristown Local Waterfront Area.

#### **E. FISH AND WILDLIFE**

1. **Inventory.** (See Plates 4a and 4b). A variety of fish and wildlife species common to the St. Lawrence River Valley and the western portion of St.

Lawrence County are present in the local waterfront area. Discussions with the Waterfront Advisory Committee, consultation with representatives of the Department of Environmental Conservation (Region 6) and review of the Oil Spill Response Model II- St. Lawrence River (SLEOC, 1984) identified general habitat areas and their associated species as outlined below. Other habitat characteristics were previously described under A. Water Resources, B. Land Resources, and C. Vegetation.

a. **Mammals.** Of the two dozen species of mammals which may be found within the waterfront, almost all are represented within the Chippewa Creek Marsh and Jacques Cartier State Park. The more common of these species --- Eastern Cottontail, Eastern Chipmunk, Gray Squirrel, Meadow Vole, Porcupine, Coyote, Raccoon, Ermine, Striped Skunk, Muskrats, Mink, Beaver, Otter, and White-Tailed Deer --- are widely distributed over the Morristown mainland. Rare occurrences of southern flying squirrel and northern flying squirrel are associated with Chippewa Creek Marsh. The islands are largely devoid of mammal populations.

b. **Birds.** A total of 193 species of birds and water fowl has been documented within the Village/Town of Morristown area. Individual species vary greatly in frequency and seasonality of occurrence, and in the varying types of habitat occupied. Logically, the greatest frequencies of occurrence is associated with the spring and fall migrations of species. Occurrences of species breeding locally are generally limited to the following: Great Blue Heron, Green-backed Heron, Canada goose, Mallard, Wood Duck, Blue Winged Teal, Red-Tailed Hawk, Killdeer, Spotted Sandpiper, Ring-billed Gull, Herring Gull, Wood-Pee-wee, Eastern King bird, Purple Martin, Rook Dove, Chimney Swift, Northern Flicker, Eastern Barn Swallow, Tree Swallow, Bank Swallow, Blue Jay, American Crow, Black-Capped Chickadee, House Wren, Marsh Wren, Veery, Wood Thrush, American Robin, Gray Catbird, Cedar Waxwing, European Starling, Red-eyed Vireo, Yellow Warbler, American Redstart, Common Yellowthroat, Rose-breasted Grosbeak, Field Sparrow, Savannah Sparrow, Song Sparrow, Swamp Sparrow, Bobolink, Red-Winged Blackbird, Common Grackle, Brown-headed Cowbird, Northern Oriole, American Gold Finch House Sparrow, American Bittern, pied bill grebe, Northern Harrier, American Kestrel, Common Moorhen, Great Horned owl, and Belted Kingfisher. The Common Tern and Northern Harrier which are designated as threatened species, and the pied-billed grebe, American widgeon and Gadwall which are listed under the Natural Heritage Program.

2. **Analysis:** Chippewa Creek Marsh, Jacques Cartier State Park, the Morristown Mainland and Blackstone Bay host the greatest diversity of species. Areas that have fewer, but still notable, numbers of species are American Island, Bogardus Island, Old Man Island, Morristown Bay, Brockville Rock, Morristown Point (aka Merry's Point) and the Brooks Point/Perch Bay areas. The American Island

Pools, and the shoreline from Birch Point/Blackstone Bay area to the Jacques Cartier State Park area, are noteworthy and important winter roosting and feeding sites for the American Bald Eagle.

**a. Reptiles and Amphibians.** The species documented within the Village/Town of Morristown's LWRP area are the Red-Backed salamander, American toad, Sprug Peeper, Grey Tree frog, Western Chorus frog, Bull frog, Green frog, Wood frog, Northern Leopard frog, Snapping turtle, Map turtle, Midland Painted turtle, Northern Watersnake, Northern Brown snake, Eastern Garter snake, and Eastern Ribbon snake. All of the above species are found within the Chippewa Creek Marsh Area. Several species may also be found within the Jacques Cartier State Park, Morristown Mainland, Morristown Point, Morristown Bay and Bogardus Island areas.

**b. Fish.** Forty species of fish have been documented within the local waterfront areas. Commonly found species include Fall fish, White Sucker, Brown Bullhead, Channel Catfish, Banded Killifish, Rock Bass, Small Mouth Bass, Largemouth Bass, Pumpkinseed, Bluegill, Yellow Perch, Bowfin, American eel, Alewife, Gizzard Shad, Rainbow Smelt, Northern Pike, Carp, Golden Shiner, Emerald Shinner, Spottail Shiner and Blunt Nose Minnow. Walleye are found in lesser numbers. The down river sides of Point Comfort and Point Delark (Jacques Cartier State Park have documented Muskellunge spawning and rearing sites. The largest number of species are again found within the Chippewa Creek Marsh, however, substantial numbers may be found in the shallows and open waters of Jacques Cartier State Park, Morristown Bay, Old Man Island, Morristown Point, down river of Point Comfort, and the Perch Bay - Brooks Point area.

### **3. Habitat Assessment**

Each habitat is discussed below in terms of its significance and any problems, issues, or opportunities associated with it:

**a. Chippewa Creek Marsh.** (See Figure 1b.) Chippewa Creek is a tributary of the mid-St. Lawrence River, located in the Towns of Hammond and Morristown, St. Lawrence County (7.5' Quadrangles: Chippewa Bay, N.Y.; and Hammond, N.Y.). The fish and wildlife habitat extends inland approximately five miles from the north end of Chippewa Bay, encompassing an approximated 650 acre streamside wetland and some adjacent uplands. The habitat is divided into two relatively discrete areas at Oak Point Road, where the marsh becomes relatively narrow. Chippewa Creek is a sizable warmwater stream, with a broad floodplain, occupied by extensive emergent marsh communities (predominantly cattail). The drainage area of Chippewa Creek is small, and little flow is discernible during the summer. Maximum water depths of approximately 10 feet



occur in the lower creek channel. Water levels throughout the area are generally continuous with those of the St. Lawrence River, but fluctuations may be affected by the narrow channel opening under N.Y.S. Route 12. Upland areas bordering Chippewa Creek Marsh are rural in nature including forestland, abandoned fields, active agricultural lands, and low density residential development. The wetland area above Oak Point Road is essentially undisturbed, whereas downstream some habitat disturbances are evident, including livestock grazing, light residential development, use of motor boats on the creek, and the occurrence of an oil spill in the vicinity in 1976. All of Chippewa Creek Marsh, including the mouth area at Chippewa Bay, is privately owned.

Chippewa Creek Marsh is one of about four very large, undeveloped, streamside wetland ecosystems along the St. Lawrence River. This extensive marsh habitat has a high degree of interspersed wetland vegetation, open water, and uplands, creating favorable conditions for many fish and wildlife species. Human disturbances in the lower half of the area are limited, but may be adversely affecting its potential value to certain species. Chippewa Creek Marsh is a productive nesting area for a variety of waterfowl and other marsh birds, including pied-billed grebe, American bittern, mallard, black duck, blue-winged teal, wood duck, gadwall, northern harrier (T), Virginia rail, sora, common moorhen, belted kingfisher, marsh wren, red-winged blackbird, and swamp sparrow. Least bittern (SC) and black tern (SC) have been observed in the area, but breeding has not been confirmed. Great blue heron, green-backed heron, osprey (T), and common tern (T) often feed in the area during the breeding season, but the extent of their use is not well documented. Chippewa Creek Marsh is considered one of about ten principal areas on the St. Lawrence River that are used by concentrations of waterfowl (dabbling ducks, primarily) for feeding and resting during spring and fall migrations. However, data on population levels in the marsh are not available. Other wildlife species inhabiting the area include raccoon, beaver, muskrat, various frogs, northern water snake, snapping turtle, and painted turtle. [Note - (T) indicates a threatened species, while (SC) indicates a special concern species.]

Extensive beds of submergent and emergent aquatic vegetation in Chippewa Creek Marsh serve as valuable fish spawning and nursery habitats. The area is used for spawning by a wide variety of warmwater fish species. Chippewa Creek is one of the most productive fisheries in St. Lawrence County, especially for northern pike, brown bullhead, largemouth bass, white sucker, and a variety of panfish, such as pumpkinseed, rock bass, and black crappie.

The abundance and diversity of fish and wildlife species in Chippewa Creek Marsh provide potential opportunities for various human uses of the area. However, most of the marsh is relatively inaccessible and privately owned, limiting public recreational use. Waterfowl hunting, fishing, and trapping attract

some local residents to the area. In addition, fisheries production in Chippewa Creek marsh contributes significantly to the year-round recreational fishing activity in Chippewa Bay.

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, alter flows, or increase water level fluctuations in Chippewa Creek Marsh could adversely affect a variety of fish and wildlife species. Discharges of sewage or stormwater runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) may result in adverse impacts on fish and wildlife resources in the area. Spills of oil or other hazardous substances are a potentially serious threat to fish and wildlife in Chippewa Creek Marsh and every effort should be made to prevent such contamination. Elimination of wetland habitats, or significant human disturbance of the area, through dredging, filling, construction of roads, waste disposal, or motorboat access development, could severely reduce its value to fish and wildlife. Channelization would reduce stream channel diversity, and result in a direct loss of valuable habitat area. However, habitat management activities, including water level management, may be designed to maintain or enhance populations of certain fish or wildlife species. Any significant disturbance of Chippewa Creek Marsh would be especially detrimental during fish spawning and nursery periods ( March-July for most warmwater species) and wildlife breeding seasons (April - July for most species). Barriers to fish migration in the creek, whether physical or chemical could have a significant effect on fish population within the marsh and in Chippewa Bay. Existing areas of natural vegetation bordering Chippewa Creek Marsh should be maintained for their value as cover for wildlife, perch sites, and buffer zones. Efforts should be made to reduce stream disturbance by agricultural activities, especially grazing, through fencing and restoration of riparian vegetation. Development of additional public access may be desirable to increase compatible human use of the marsh, but must be designed to minimize disturbance of sensitive fish and wildlife species that occur in the area.

No specific problems face this area at present. As a waterway of New York State and a designated wetland, the marsh receives direct protection under State law (FN 5). In absence of development pressure, the environs adjacent to the marsh have remained as a forested buffer to the marsh itself. Beyond the forested area lie farmlands.

Substantial clearing of the forested area, deposition of silt and sediments from upland erosion, introduction of contaminants into the stream and general disturbance from intensive land use activities could severely impact the marsh habitat if future development were to occur in the buffer without controls.

The marsh and adjoining uplands provide opportunities for hunting, trapping,

fishing and bird watching by land (with permission of the private landowners) or by water (canoe or flat-bottomed boat).

**b. American Island Pools.** (See Figure 1a.) American Island Pools is located in the mid-St. Lawrence River, approximately four and one-half miles southwest of the Village of Morristown, in the Town of Morristown, St. Lawrence County (7.5' Quadrangle: Morristown, N.Y.). The fish and wildlife habitat is an approximately acre area of the main river channel that remains partially open (i.e., ice-free) throughout the winter. The pools are quite consistent in presence and extent during most winters. The St. Lawrence River is relatively shallow (generally less than 20 feet deep) and narrow at this location, resulting in strong currents and considerable turbulence. Bottom substrates are rocky and have minimal vegetative cover. American Island, located near the center of the habitat, is a small, uninhabited rock covered with mature woody vegetation.

American Island Pools is an area containing relatively large, open water pools during the ice-in season. The pools are an unusual ecosystem type and function similar to the polynas found in the arctic. The productivity of the pools is due to the open waters which attract water birds and water fowl, which creates a fertilization that attracts feed fish, which attract the birds, etc. During much of the year, fish and wildlife use of the area is not significantly different than elsewhere in the river. However, during the winter months (December-March), the pools attract major concentrations of migratory birds. Of particular significance is the presence of wintering bald eagles (E) in the area. This is the principal area on the St. Lawrence River (in New York) where eagles are most frequently noted in winter. Bald eagles have been reported in the area for several years, with as many as ten observed there at one time (e.g., in January 1986). American Island is a primary roosting site for the eagles. American Island Pools also harbors substantial concentrations of waterbirds, waterfowl, and gulls during most winters. Mid-winter aerial surveys of waterfowl abundance for the period 1977-1986 indicate average concentrations of approximately 800 birds in the area between Ogdensburg and Chippewa Bay each year (2,715 in peak year), dominated by mergansers and common goldeneye. American Island Pools is a primary concentration area for these wintering waterfowl populations, which are among the largest on the St. Lawrence River. There are no significant human uses associated with the wildlife resources of this area.

Any activity that would substantially degrade water quality, alter river flows or ice formation, or increase human disturbance at American Island Pools could adversely affect fish and wildlife use of this area. Winter navigation use of the St. Lawrence Seaway could be an especially serious threat to the area, as a result of flow diversion, shipping traffic in the vicinity, and increased risk of spills of oil or other hazardous substances. Major physical alteration to the river channel, through dredging or installation of diversion structures (including water supply

intakes) could enhance ice formation around American Island and impact critical wildlife feeding areas. Introduction of toxic chemicals from upstream sources may also affect bird populations using these pools. Thermal discharges, depending on time of year, may have variable effects on use of the area by aquatic species and migratory birds. Human disturbances around American Island Pools should be minimized from December through March.

**c. Bogardus Island.** This island habitat is significant as a breeding area for Herring Gulls and Common Tern. Common Tern is included on the New York State list of threatened species, yet occurs commonly here. Although Herring Gulls are not identified as rare, endangered or threatened, their populations are declining from poor reproduction and survival rates due to toxics absorbed and from competition for food with other species such as the over abundant Ring-Billed Gulls. Two issues relate to the Bogardus Island habitat: potential impacts from oil spills and bioaccumulation of toxic chemicals. The former issue involves threats to short-term survival; the latter affects longer term ability of the species to reproduce.

**d. Morristown Bay.** In addition to the problem of eutrophication explained earlier, siltation of the bay is increasing its shallowness and decreasing its navigability. The silt originates from the erosion of tilled soils off inland farms, and is carried by Louce Creek into the slow moving waters of the bay where it settles out. The resultant stagnation of the inner bay is undoubtedly altering the habitat characteristics there to the detriment of fish species dependent upon fresher waters. While the inner bay still offers opportunities for fishing and trapping, such activities are becoming increasingly difficult as navigability is impeded by bottom silts and heavy weed growth. The sole means of access to the inner bay's fish and wildlife resources is by water.

**e. Jacques Cartier State Park.** The State Park (lands and offshore waters) provides habitat for numerous fish and wildlife species. Public ownership protects the landward habitat areas from most development impacts. Potential oil spills and bioaccumulation of toxic chemicals are again the principal issues regarding the riverward habitat.

Limited and remotely located docking restrict to some extent the use of the single asphalt boat launch ramp and, thus, recreational access to the offshore fish habitats. No other problems have been identified. Two duck blinds are provided along the shoreline for waterfowl hunters' use in the Fall.

**f. Perch Bay.** This habitat is important locally for Northern pike and perch fishing. Public access to the bay is by water only since the shoreline there is

entirely private. As in the other river habitats, potential oil spills and



bioaccumulation of toxic chemicals are concerns.

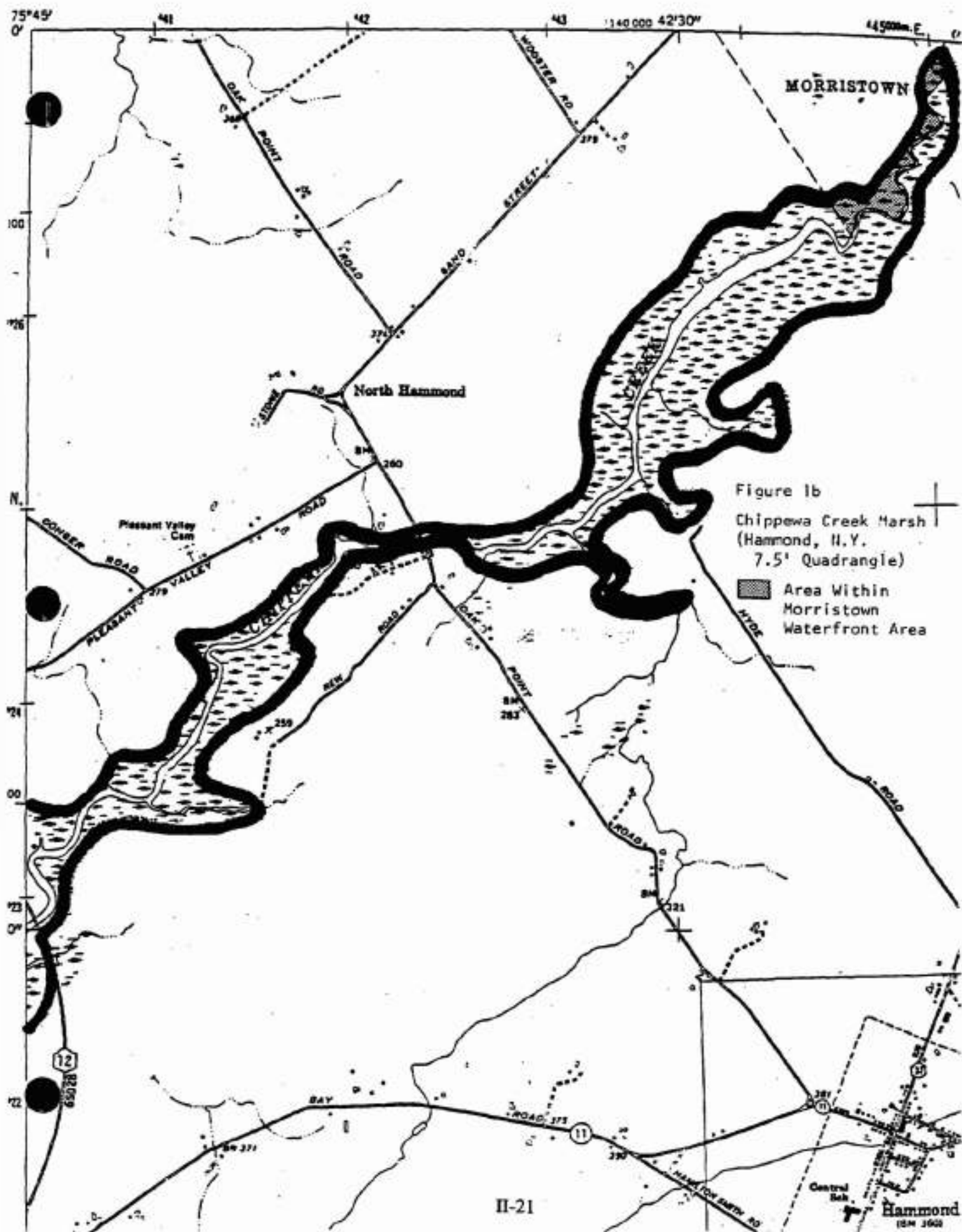
**g. Birch Point** (Blackstone Bay to Jacques Cartier State Park. This area of approximately 3 1/4 miles of shoreline has been identified as roosting and feed site for Bald Eagles. Additionally, the shoals off Point Comfort have been documented as nesting sites for the threatened Common Tern, and the water just down river from Point Comfort has been identified as a muskellunge spawning and rearing site. The shoreline is characterized by a near shore bluff topography intermittently cut by small stream gullies. The vegetation is generally wood brushland interspersed with stands of developed conifers. It is the above combination of topography and vegetation that attracts the Eagles. Development in this area is generally shoreline seasonal cottages and is confined to the near shore base of the bluff areas. This area of local significance would be very sensitive to the impact of future development. Although future development demand upon this area is forecasted to be light, considerable concern should be exercised to maintain the viability of these habitats. The potential for oil spills and the bio-accumulation of toxics are principal issues, however, the disturbance of the bluff vegetation may severely damage the attractiveness of the area for the Eagles.

#### **F. Scenic Resources.**

- 1. Inventory.** (See Plates 4a and 4b). The St. Lawrence River and Morristown Bay are the foremost scenic resources of the local waterfront area. As an eastern gateway to the Thousand Islands region, the local waterfront area encompasses a section of the river best described as transitional: islands, shoals, and shallows upstream and deep water generally without islands and shoals downstream. Sharp changes in elevation near the shoreline have created numerous vantage points from which these resources can be observed. However, the vast majority of such points are from privately owned lands (cottages) strung out along the shoreline both east and west of the Village of Morristown. Vistas accessible to the public are limited to the following:

**a. Views along NYS Routes 12 and 37.** NY Route 12 parallels the St. Lawrence River between the Villages of Clayton and Morristown. East of Alexandria Bay, the highway offers motorists a scenic landscape with occasional vistas of the river, its bays, and coastal wetlands. The portion of NY Route 12 lying within the local waterfront area provides only one view of the river near Blackstone Bay. While the view of Blackstone Bay is moderately significant (FN6), its duration is limited to a short stretch of highway where a break in heavy foliage coincides with a drop in elevation along an intermittent drainageway. Nevertheless, the highway provides motorists with sweeping views of the irregular and rolling terrain, bedrock outcrops, pockets of forest and small

[illegible]



wetlands, and farms. NY Route 37, in the southeastern part of the Village, presents a continuation of the NY Route 12 scenic corridor.

**b. Views from Jacques Cartier State Park.** Open vistas to the St. Lawrence River are found along the 2100 feet of shoreline and at a few points inland from the shore in the State Park. Delack Point, the westerly shoreline of the park, is a designated picnic area with adjacent (landward) parking.

**c. Views from River Road.** Intermittent views of the river are possible at various points along River Road. Such views are usually of short duration, coinciding with gaps in the nearly continuous line of shoreline cottages.

**d. View from Chapman Park.** From this newly developed Village park, broad expanses of the river can be viewed. The view overlooks the upper parts of trees and houses closer to the water (at lower elevations), encompasses outer Morristown Bay and stretches to the City of Brockville, Ontario on the Canadian side of the river. The best vantage point for scenic views is at the top of the old stone windmill located along the westerly edge of the park.

**e. View from the intersection of Morris and Governor Streets.** With similar views of the bay and the river, this intersection is also an excellent vista point.

**f. View from Main Street.** Occasional views of outer Morristown Bay are presented to motorists and pedestrians moving along the northern section of Main Street (the Village's commercial area). The best of such views is from the west side of Main Street in the vicinity of Morris Street. From Main Street's northern end the river can be seen with Wright's Marina in the foreground.

**g. View from Bayside Park.** A close hand view of the entire outer Morristown Bay as it widens to the mouth and a vista of the open river beyond are two of the most attractive features of Bayside Park between Water Street and the bay. The near view is highlighted by boating activity in the bay, shoreline fishing and the openness of the bay's western shore. To the east (away from the bay), the view takes in Water Street and the dramatic rise of the waterfront from Water Street up to Main Street.

**h. Image.** Community character or image can also be considered a scenic resource which contributes to the overall quality of life shared by those who dwell in or near the waterfront. Indeed, the coastal ambiance is typically a mainstay of any local tourism economy.

In the Town of Morristown, the waterfront character derives from three principal features: the undeveloped rural setting inland (rolling, tree covered lands studded with bedrock outcrops), peaceful summer vacation areas (single, continuous row

of cottages occupying the shoreline west and east of the Village, physically isolated from further development inland by the sharply elevated terrain on the southerly side of the narrow roads serving them), and tourist travel (NY Route 12 Scenic Highway west of the Village and a number of motels and restaurants along NY route 37 east of the Village).

The waterfront character of the Village derives from four notable features: the bayside setting (alignment of Main and Governor Streets paralleling the north-south axis of the bay with crossing sidestreets climbing precipitously up from lower elevations closer to the bay shoreline), the single axis character of Main Street itself (entry from NY Route 37 at the south end and the transition northerly from sparse residential, to more urban residential, to mixed uses and, finally, the primary commercial stretch toward the north end), the riverside influence (Chapman Street entering from NY Route 37, following the terrain westerly to converge with the north end of Main Street above Wright's Marina), and the historic character vested in the more heavily developed and older area of the Village).

2. Analysis. (See Plates 5a and 5b). Of the scenic resources inventoried, those which bear local significance for this program are the views along the NY Route 12 Scenic Highway and a portion of NY Route 37; the vistas at Jacques Cartier State Park, Chapman Park, Main street and Bayside Park; and the image of the Village waterfront. The view from the intersection of Morris and Governor Streets is noteworthy, but steep road grade, lack of parking and, thus, traffic safety concerns limit potential value of this vista point. Private ownership and lack of roadside parking similarly preclude serious consideration of River Road as a primary scenic vista area.

Problems, issues and opportunities pertaining to the significant scenic resources include the following:

- a. **Sign control along the Town of Morristown stretch of NY Route 12 Scenic Highway is presently regulated only by those measures of the NYS Department of Transportation.** This stretch of State highway is at present basically free of billboards and other advertising clutter that detract greatly from other tourism communities in the Thousand Island region. Realizing the importance of signage to the future economic growth and development of Morristown and also realizing the importance and value of the areas scenic quality to that growth and development, Morristown realizes the development of, and adherence to, comprehensive signage legislation. The threat of degradation exists not only from within Morristown, but from other nearby communities as the competition for tourists revenues increases. Comprehensive signage legislation will assist in providing signage that will enhance and not detract from this stretch of scenic highway.



b. **Protection of views from Jacques Cartier State Park.** No problems or issues are known to confront these views. The protection afforded by the NYS office of Parks, Recreation and Historic Preservation (OPRHP) through normal operation and maintenance is adequate. Opportunities to enjoy the river vista there could be expanded through expansion of local tourism in general and development of better linkages to the scenic resources of the Village via an interconnecting bicycle and pedestrian path.

c. **Enhancement and protection of the Chapman Park vistas.** Local efforts to improve Chapman Park have provided playground facilities, landscaping and parking. While the elevated vista from the old windmill would not be easily blocked by new structures on the lower lying lands between the park and the shoreline, grade level views could be obscured by new development. Since the views of the bay and river enhance the recreation and relaxation values of the park, the park vistas should be a concern during any future reviews of development plans for properties lying in the view span.

d. **Enhancement and protection of views from Main Street.** As revitalization and economic development are promoted, infill development will undoubtedly restrict the several open views of the bay along the northerly end of Main Street. The siting of new structures, landscaping and access should retain a portion of the existing vistas as open area, framing and enhancing the view where possible. Actual revitalization improvements should address a small number of dilapidated and deteriorated structures which lie in the foreground of the Main Street vistas and detract from their scenic and tourism values.

e. **Enhancement and protection of vistas at the Bayside Park.** The views from this park are perhaps the best in the Village because of their extent and proximity to the water. Although a deteriorated boathouse and vacant, overgrown shoreline lie immediately to the north of the park, current proposals for new development there may rectify such problems. Private property immediately south of the park and directly across the bay reflect adequate maintenance and enhance the view of the bay. The view away from the water (toward Main Street) may be the greatest detriment to the total scenic resource value of the park site. (See discussion of Village waterfront character, below.)

f. **Image improvements.** No identifiable problems or issues confront the three basic visual features forming the character of the Town. However, if tourism were to increase substantially in the Town, the visual quality along NY Route 37 east of the Village might become a concern. Uncontrolled placement of advertising signs, extensive removal of forest and forest brushland and unsightly strip development could jeopardize the character along this route. The present limited extent of frontage development along NY Route 37 represents an



opportunity to guide the siting of new tourism and non-tourism related facilities in a manner which enhances community image.

In the Village of Morristown, two waterfront features facing serious problems or issues are the image of Main Street and orientation to the bay. At the southern end of Main Street, dilapidated structures and deteriorated road conditions foretell the economic ill-health within. Passing more stable, basically sound residences is a mixed use area with several deteriorated structures. In the commercial area, are a handful of small businesses and public or semi-public facilities, a few vacant properties, and a number of deteriorated structures that reflect the general lack of vitality. A number of older structures - some with historical significance - add to the coastal community character. Yet, since capital reinvestment is lacking, these older structures also show deterioration and give testimony to the economic decline from former times. Facade improvements, stabilization of older structures, street improvements, new infill development of small businesses, landscaping and street furniture are needed to strengthen the Main Street image. Rehabilitation of older structures and construction of new buildings will both warrant attention to the present scale, density, texture and form of development along the Village's primary street near its commercial core.

In spite of its orientation to Morristown Bay, the area between Main Street and the bay (north of Northumberland Street) represents the foremost area of deterioration, underutilization and detrimental image within the waterfront. Inadequate access, abandonment of rail service, removal of rail lines, and the demise and disappearance of local industry have left much of this area a wasteland. A restaurant near Northumberland Street, the Village's shoreline park along Water Street, and a commercial marina at the northeast corner of the bay reflect public and private reinvestment efforts to establish new, productive uses in this area. However, these efforts fall substantially short of the major "image" improvements needed here. The backs of structures along Main Street overshadowing the bayside uses, exacerbate the neglect and disuse characterizing this area. In addition to rehabilitation and redevelopment of the lower bayside area, its isolation from Main Street should be remedied where possible (both visually and physically).

## PART 2 COMMUNITY/CULTURAL RESOURCES

An inventory of community facilities and other cultural features of the local waterfront area was conducted during the Summer of 1985 using air photos, tax maps, the NYS Coastal Atlas and a windshield survey. An analysis of the inventory results was made with input from local officials and the Waterfront Advisory Committee. The inventory and analysis is presented below under the headings Development, Public Access and Recreation, Historic and Archaeological Resources and Agriculture.

### A. DEVELOPMENT

#### 1. Inventory. (See Plates 6a and 6b).

- a. **Public and Semi-Public Facilities.** With the sole exception of Jacques Cartier State Park in the western part of the Town's waterfront, all of the public and semi-public facilities inventoried are situated within the Village's waterfront. Two categories of public facilities are present: those related to governmental or quasi-governmental functions (administration,) infrastructure, education, public health or safety and other services) and those related to public access and recreation. The first category includes the Village pumphouse at the north end of Caroline Street; one library, a post office, the Town/Village municipal offices, and a small community center (old stone schoolhouse) along Main Street; the Morristown Elementary School east of Governor Street and north of Columbia Street; and a fire hall on the south side of Morris Street. The second category consists of Jacques Cartier State Park west of Old Mills Road and two Village parks: a shoreline park along the east side of Morristown Bay north of Northumberland Street and a community park (Chapman Park) along the north side of Morris Street east of Governor Street.

Semi-public facilities include three churches (one at Main and Columbia Streets and two at Columbia and Governor Streets), a parish center on the south side of Morris Street near Ann Street and two cemeteries (one along Main Street and the other east of Governor Street). Private property along the south side of NY Route 37 west of English Settlement Road has several baseball diamonds built and used by the volunteer fire department. Recent construction has added an elderly housing complex (12 one bedroom apartments built by United Helpers) and an Intermediate Care Facility (12 bed) on the west side of High Street, south of Columbia Street.

- b. **Commercial Facilities.** The majority of commercial facilities within the local waterfront area are located within the Village. With the exception

of a single grocery store in the western part of the Town waterfront (on the north side of NY Route 12 at the Atwood Road intersection), the balance of the Town's commercial facilities are located east of the Village along NY Route 37.

Within the Village, the commercial establishments consist of those catering to both year-round and seasonal residents (several small stores or shops on Main Street near Northumberland Street and a lumberyard/fuel oil supply operation at Chapman and Ann Streets) and those dependent upon local tourism ( a restaurant at Morris and Main Streets, another immediately south of the Village's shoreline park, Wright's Marina and its sporting goods store at Main and Chapman Streets, a boat repair shop along the east side of Main north of Morris Street, rental dockage on the west side of the bay north of Northumberland Street and boat storage near Water and Columbia Streets and a warehouse on Morris Street).

- c. **Housing Stock.** Housing units in the local waterfront area are nearly all owner-occupied single-family. In addition to the elderly units mentioned previously, only a few apartment units may be found either as mixed uses along Main Street (2nd floor apartments) or in a small apartment building at NY Route 37 and English Settlement Road.

In the Village, the housing stock is characterized by year-round occupancy in the older sections and, along the river, mixed seasonal and year-round occupancy east of Ann Street and only seasonal occupancy west of Bay Street. Housing occupancy in the Town is mixed year-round and seasonal in the eastern part and seasonal only in the western part.

- d. **Infrastructure.** Existing infrastructure in the local waterfront area consists of the highway, road and street system serving the two communities (as indicated on all plates); the Village's water distribution system (including the water intake off Chapman Point, a pumphouse at the end of Caroline Street, a water storage tank near the elementary school and the water mains and hydrants following most of the Village streets); a limited number of storm sewers which drain from older portions of the Village to the bay; and a recently constructed vacuum sewer system with sewage treatment facilities on the east side of Ann Street between Chapman Street and Riverview Drive. There are no sanitary sewers, sewage treatment facilities, storm sewers, or public water supply in the Town.

- 2. **Analysis.** (See Plate 7). The key problems, issues and opportunities which pertain to development relate only to the Village. They involve deterioration and underutilization, water dependence and water enhancement, the role of

Morristown Bay as a small recreational harbor, and the concentration of waterfront development in relation to availability of infrastructure and services.

**a. Deteriorated and/or Underutilized Areas.** (Area 1- Eastern Shore of Outer Bay). Once the most economically vital part of the local waterfront area, the eastern shore of the outer bay (from Northumberland Street to Ann Street along the river) now suffers the most serious deterioration and underutilization. Abandonment of rail and ferry service, exodus of local industry and inadequate reinvestment of capital have left this area in its present condition. In spite of the restaurant, park, marina and lumberyard/fuel supply facilities located there, a sense of isolation and neglect permeates the area. Vacant parcels covered with weeds and debris and dilapidated or deteriorating structures give witness to the dearth of economic activity. The rear facades of structures along Main and Chapman Streets provide a backdrop which, because of its elevation and its orientation away from the shoreline, heightens the sense of isolation. Morris Street, west of Main Street, is in need of improvement.

(Area 2 - Main Street Commercial Area). This area reflects the general decline of local business activity and erosion of tax base that accompanied the loss of local industry and the decline in population. Deteriorating buildings, conversion of commercial structures to residential use and occasional vacant parcels highlight the area's decline.

(Area 3 - North of Chapman Street/East of Ann Street). Here, the tree covered hillside represents an underutilized area with general suitability for homesites except along the uppermost (southerly) portion of the area where bedrock and steep slopes pose limitations. The overall economic decline in the waterfront and the previous lack of sanitary sewers had relegated this attractive hillside and its potential river views to the idle land category. As part of their overall revitalization efforts, the Village and Town recently acquired the abandoned railroad right-of-way and completed the construction of Riverview Drive to serve this area and Morristown Point.

(Area 4 - Southern Shores of Morristown Bay). A large area that wraps around the southern shores of Morristown Bay and stretches over to Main Street is underutilized. Once laid out in a land subdivision to be served by the extension of Bay Street, this area has lain idle similar to the hillside north of Chapman Street. The economic decline of the Village, previous lack of sewers and obstacles imposed by the abandoned railroad right-of-way were the primary factors behind this area remaining a paper subdivision. Any future subdivision and development of this area will need to incorporate measures to protect the wetlands and wildlife habitat that are present.



(Area 5- Southern End of Main Street). While its location is rather removed from the bay or river shoreline, this part of the local waterfront area is important because it serves at the primary entrance to the Village. Several dilapidated houses, poor road conditions and a sizeable amount of underutilized Main Street frontage broadcast the economic woes of the waterfront as a whole. Street improvements and rehabilitation of residential structures are sorely needed here.

**b. Water-Dependence and Water-Enhancement.** Five sites in the overall Town/Village waterfront area are presently accommodating water-dependent facilities. They include Jacques Cartier State Park in the western part of the Town's waterfront, Wright's Marina along the northeastern corner of outer Morristown Bay, a boathouse near the western end of Morris Street (part of Wright's Marina), the Village's shoreline park immediately south of the boathouse, McDonald's docks on the west side of the outer bay near the Northumberland Street bridge, and the Village's pumphouse at the north end of Caroline Street.

Existing water-enhanced facilities in the local waterfront area are all located in the Village to the east side of Morristown Bay. They consist of a restaurant on Water Street near Northumberland Street, another restaurant at the northwest corner of Main and Morris Streets, several stores at the intersection of Main and Northumberland Streets and Chapman Park. The stores are only marginally enhanced by their waterfront location since their orientation is away from the bay.

The limited extent of water-dependent and water-enhanced facilities reflects the isolation and neglect along the east side of outer Morristown Bay and the economic decline of the Main Street commercial area. The deteriorated or vacant properties previously noted in these areas offer significant opportunities to combine revitalization and economic development efforts with measures to facilitate the siting of uses which depend on, or would be enhanced by, a location near the water. The lands along the east side of the outer bay lying at lower elevations (closer to the bay and/or the river) should be generally targeted for water-dependent uses whenever possible. Water-enhanced uses should be promoted on the higher elevations (further from the water) along the west side of Main Street between Northumberland and Chapman Streets. Both water-dependent and water-enhanced uses could be facilitated along the west side of the bay.

**c. Morristown Bay's Small Harbor Role.** Morristown Bay constitutes the only protected small harbor on the U.S. side of the river between Chippewa Bay and the Port of Ogdensburg. With navigable depths ranging from 5 or 6 feet at the Northumberland Street bridge to 18 feet at the mouth, the bay has excellent potential to offer traditional small harbor services geared to recreational watercraft, public access and recreation, and other marine-related uses. Boat

launching, short and long term dockage, boat restoration and storage, engine and hull repair, sale of marine-related products and services (new and used boats, equipment, supplies, fuel, bait and tackle), guideboat fishing, boat tours, salvage and rescue operations, and U.S. customs activities are possible. Picnicking, swimming and fishing already exist. Restrooms, showers restaurants, motel accommodations, and gift shops would be appropriate associated uses to enhance the small harbor's role.

At present, the role of Morristown Bay is only partially established. Future harbor development beyond the existing marina, boat house, park, restaurants and dockage must link the revitalization effort with a greater focus on the harbor's potential and both tourism development and tourism promotion.

d. **Target Areas for Concentrating Development.** Prior to 1988, there were no waterfront areas where future development could be concentrated. Now with installation of the new public sanitary sewer system, treatment facilities and other Village infrastructure, the concentration of new development will be possible along Northumberland, Water, Main, Governor, Columbia and Ann Streets, the western parts of Morris and Chapman Streets, the shoreline and hillside areas north of Chapman Street and east of Ann Street and, with suitable wetlands and habitat protection, around the south end of the bay. New development in the Town will necessarily remain light and scattered given its dependence on septic systems and groundwater.

## **B. PUBLIC ACCESS AND RECREATION**

- I. **Inventory.** (See Plates 8a and 8b). Jacques Cartier State Park in the Town and Chapman Park and the shoreline park in the Village are the only water-related public access and recreation facilities in the local waterfront area. Discounting the State park, the Town has no public access and recreation facilities of its own. On the other hand, the Village's supply of such facilities is augmented by commercial marine-related recreation via Wright's Marina and McDonald's docks. The particular public or private facilities at each of the locations noted above are as follows:

### **a. Existing Public Access and Recreation Sites.**

1. **Jacques Cartier State Park.** (See Figure 2). With a total area 461 acres, the park offers 76 acres for camping that entail 22 sites with electricity, 76 sites without electricity, and 25 overflow sites. A dumping station is provided. Approximately 22 acres are set aside for picnicking with use of 200 picnic tables. The park contains a small swimming area (with 400 linear feet of beach), 1 boat launch ramp, 20 pier moorings, 5 transient moorings, boat launch for 10



cars with trailers, and a snack bar. Water skiing and skin diving activities are allowed. In the fall, two duck blinds are provided for waterfowl hunting. In the winter, snowmobiling and cross-country skiing are permitted (each with separate 2 mile trails), and ice fishing is allowed.

2. Chapman Park (see Figure 3). Chapman Park is a nearly completed community park containing slightly less than 2 acres of land along the north side of Morris Street east of Governor Street. The park facilities presently include 4 tennis courts, a grass volleyball court, a basketball court, horseshoe pits, a small playground area, parking and both wooded and grassy open spaces. The restrooms and final landscaping remain to be completed. Most notable among features of the park are its commanding view of the river and outer bay and the old stone windmill along the park's west side.
3. Bayside Park. (see Figure 4). This park is located along the eastern shoreline of outer Morristown Bay, between Morris and Northumberland Streets. Its facilities include a single boat launch ramp, a public dock with 15 slips, open lawn and parking. Under an agreement with the Village, Wright's Marina handles seasonal rentals for 12 of the slips. Fishing and swimming are popular activities along its shoreline. In the winter, the park affords access to Morristown Bay for ice fishing.

**b. Existing Commercial Recreation Facilities**

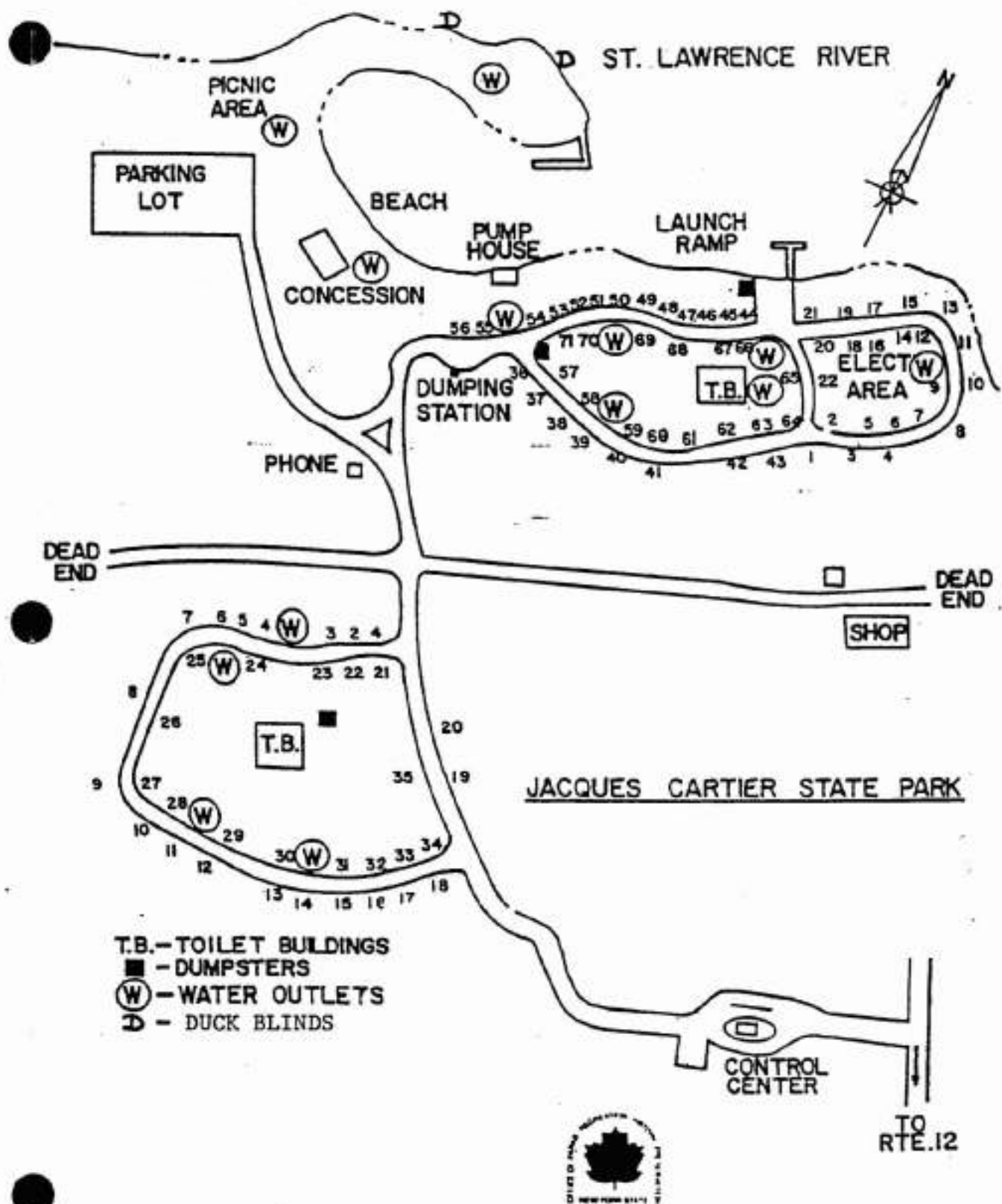
1. Wright's Marina. This marina contributes significantly to water-dependent recreation in the local waterfront area. Its location at the mouth of the bay (east side) permits easy access to the open waters of the river or bay. Its facilities include dockage for 70 boats, a gas dock, a pumpout for marine holding tanks, a single boat launch, a store (sale of boats, accessories and supplies) and a large building for winter boat storage. This facility is presently undergoing expansion that will provide a stimulus for other development.
2. Wright's boathouse and adjacent dockage. Immediately north of Bayside Park, Wright's Marina can accommodate another five watercraft in an old boathouse and two at a short dock extended from the shore near the boathouse.

3. McDonald's docks. A total of 18 to 20 boats can tie up at the McDonald docks on the west side of the bay near the bridge. No other marine facilities are provided there. Parking for 10 to 15 cars is available.
2. Analysis. (See Plates 8a and 8b). A total of 18 to 20 boats can tie up at McDonald docks on the west side of the bay near the bridge. No other marine facilities are provided there. Parking for 10 to 15 cars is available.
  - a. Adequacy of existing facilities. Overall, the public access and recreation facilities within the local waterfront area must be considered marginally adequate in the face of current demand. Levels of usage and deficiencies in actual facilities vary markedly between locations and types of facilities. Each of the existing sites - public and private (commercial) - is evaluated below:
    1. Jacques Cartier State Park. Park attendance figures swelled to 45,000 in 1984 from the 1979-82 average of 33,800. Although level of usage for camping averages 60 to 70% during its 109-day season, the park campgrounds are filled to capacity over holiday weekends. Representatives of the Thousand Islands State Park Commission at Keewaydin view the facility as marginally adequate with need for specific improvements. The swimming area is subject to heavy siltation, and the condition of the single asphalt boat launch ramp is viewed as only "fair". The dock serving the boat launch is separated from the launch site, and thus, not handy. Additional dockage could be absorbed by present demand. Park facilities for picnicking, hunting, snowmobiling, cross-country skiing, and other recreational activity are adequate.
    2. Chapman Park. With subsequent completion of its rest rooms and final landscaping, the facilities of this community park will be adequate to meet the playground recreation needs of the Village. However, the present level of use is quite heavy since the park is also used by Town residents.
    3. Bayside park. This shoreline park constitutes the Village's only water-based public access site. Although its facilities are limited, the park receives heavy use. Most heavily in demand are the boat launching ramp and the adjacent parking. Weekends, holidays, and some weekday evenings see the ramp in nearly continuous use. Often the cars must queue up with their trailers to launch or take out their boats. At times, the parking lot is filled to its 25 car/trailer capacity. The new boat slips leased to Wright's Marina

are usually fully rented for seasonal dockage. Use of the shoreline for panfishing and swimming is lighter.

4. Wright's Marina. Like many other marinas in the Thousand Islands region, Wright's Marina is experiencing a heavy demand for seasonal boat slips that exceeds its capacity. While the recently acquired boathouse and new slips at Bayside Park absorb a little of the excess demand, a waiting list is usually still necessary.
  5. Wright's Boathouse. In spite of recent painting, the boathouse remains in a deteriorated condition. It is filled to capacity with boats using the seasonal dockage.
  6. McDonald's Docks. These private docks are usually almost fully rented for seasonal use. Present demand has not exceeded existing capacity.
- b. **Future Demand for Public Access and Recreation Facilities.** To date, the level of tourism within the local waterfront area has been limited to heavy use of the State Park, Wright's marina, and the Village's boat launching ramp. With good to excellent fishing, notable scenic beauty, important fish and wildlife habitats, nationally-recognized historic resources and the potential for significant improvement of the Village's riverside and bayside image, the waterfront has many assets for tourism. Successful revitalization and tourism development efforts will undoubtedly enable the Town and Village to capture a larger share of the region's growing tourism market. Locally, the increased recreational demand is expected to center around Morristown Bay and Jacques Cartier State Park, especially for boat launching, docking, sightseeing, fishing, camping, and swimming.
- c. **Potential for Improving and Expanding Public Access and Recreation Sites/Facilities.**
1. Jacques Cartier State Park. Improvement of the beach, boat launching ramp, and dock facilities at Jacques Cartier State Park will enable the park to accommodate much of the increased demand. The total extent of undeveloped park land embodies considerable potential for expanding campground and other park facilities in the event future demand warrants such expansion.
  2. Chapman Park. This site has only limited area for expanding park facilities. If future demand originating from the Town begins to

Figure 2. Jacques Cartier State Park



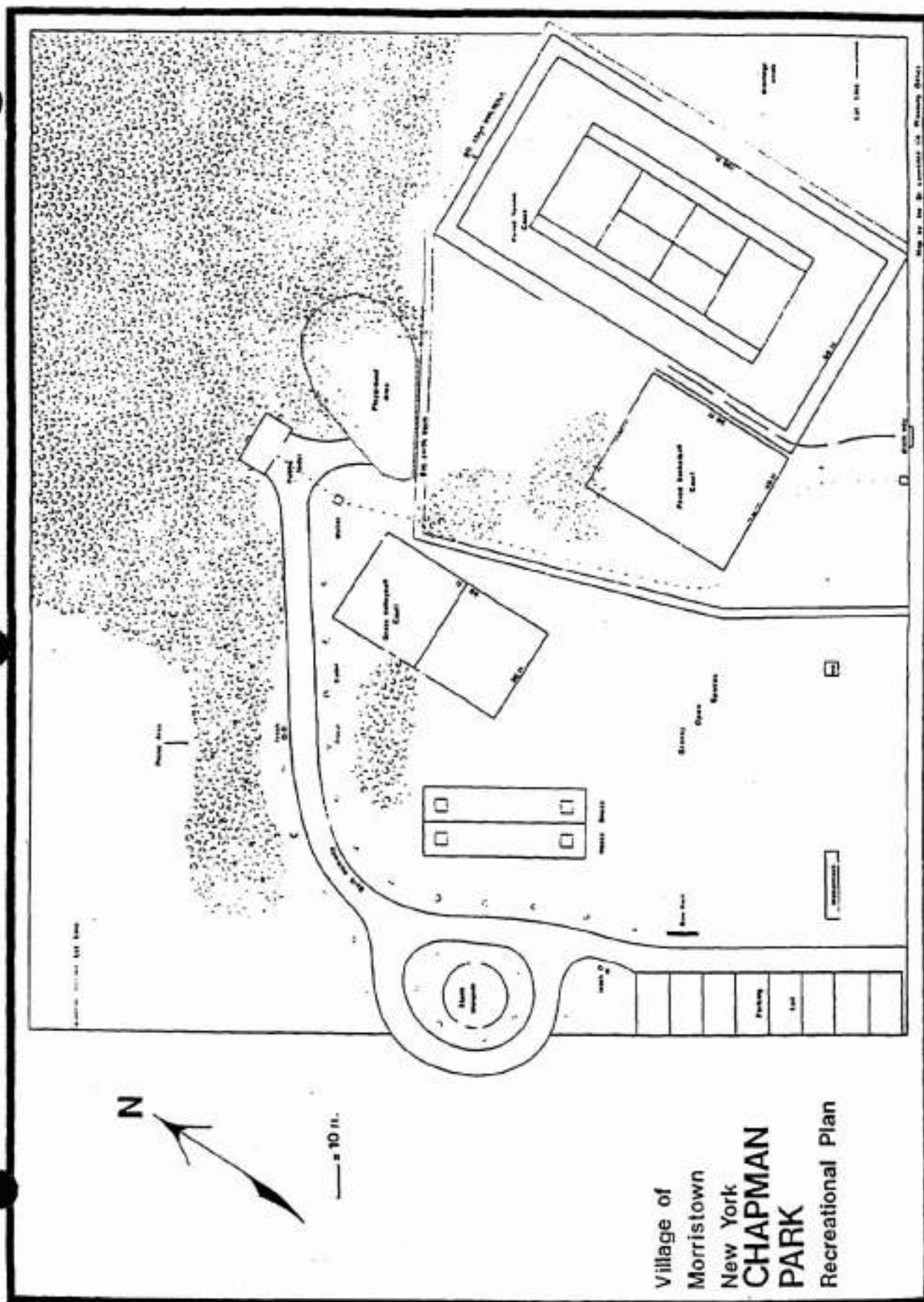
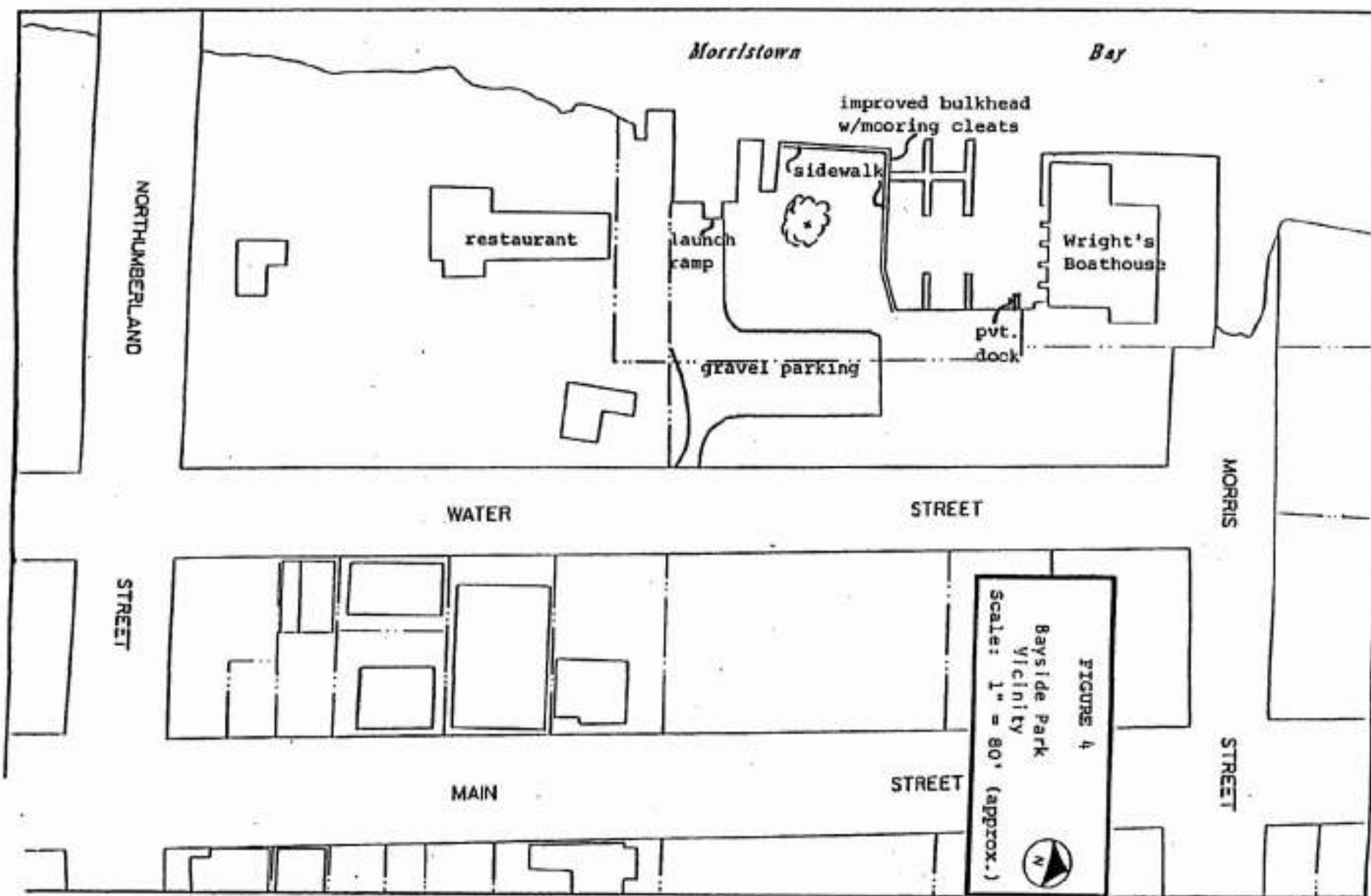


Figure 3. Chapman Park





overtax this park, the Town will need to explore community park facilities of its own. For the foreseeable future, however, no significant increases are expected in the demand for this park's playground facilities.

3. Bayside Park. Future increases in the demand for this park's facilities are expected. Improvement of the existing boat launching ramp, expansion of the parking area, refurbishment of existing bulkheads, construction of a service building with rest rooms, and installation of a pumpout facility for marine holding tanks are viewed as potential improvements which will increase the Village's ability to accommodate such demand.
4. Wright's Marina. Long-standing plans for expansion of this marina depend on financing and the now available public sanitary sewers. The proposed development of an additional 150 boat slips there would handle a substantial part of the increased demand for dockage. Also proposed are a large breakwater with a public fishing pier and a public boat launch.
5. Potential Town Boat Launch site. In Terrace Park, at the extreme northern end of English Settlement Road, one half of the private road right-of-way has been offered to the Town as a potential site. The matter is presently at an informal discussion stage, and may not be pursued until the overall demand for public access has actually increased to a significant extent.
6. Former railroad right-of-way. The Village acquired abandoned railroad right-of-way along the east side of inner Morristown Bay. The Town and Village jointly acquired similar right-of-way paralleling the shoreline east of Ann Street. The acquisition near the inner bay offers the potential for access to the shallows and wetlands of Morristown Bay. Acquisition of the right-of-way east of Ann Street enabled the development of a public road connecting from Ann Street all the way to Morristown Point. This connection facilitates access from the eastern shoreline cottages to the Village's public access and recreation facilities. It also improves the accessibility of the cottage area for fire fighting and ambulance services.
7. Potential Bicycle/Pedestrian Path. As mentioned previously, the right-of-way for River Road could be used for a bicycle/pedestrian

path (shoulder improvements) to facilitate non-vehicular movement between the Village's public access and recreation sites and those of the State Park.

C. **HISTORIC AND ARCHEOLOGICAL RESOURCES**

1. **Inventory.** (See Plates 8a and 8b). A substantial number of historic structures are located within the local waterfront area, especially within the Village of Morristown. The specific structures or sites identified in the inventory are as follows:
  - a. **The Stone Windmill.** The stone windmill was built in 1825 by Hugh McConnell. Through the years it has served as a mill, the local jail, and finally an Air Warning Post during World War II. Charles Chapman, a noted artist, donated the Mill property to Morristown in 1943 in memory of his mother, Laura.
  - b. **Samuel Stocking House.** The Samuel Stocking House is one of St. Lawrence County's finest examples of Greek Revival architecture in a domestic structure. The house was built by Samuel Stocking in 1821. Within two decades he had sold the house and property to Augustus Chapman, who made Morristown his home, and whose family was instrumental in developing the Village.
  - c. **Frank Chapman House.** This house was built in 1878 and is Morristown's best preserved example of the Gothic Revival style. Frank Chapman, Augustus' grandson, was active in Village government during the last half of the 19th century. When the Village was incorporated in 1884, he served as one of the first Village trustees.
  - d. **The United Methodist Church.** This church was originally a Presbyterian Church erected in 1838. The first Methodists came to Morristown and built their first church in 1848. In 1952 the Methodist and Presbyterian churches entered into a union and subsequently the original Methodist Church was torn down and the Presbyterian Church became the present Methodist Church.
  - e. **St. John's Church.** St. John's Roman Catholic Church was constructed in 1878. It is tiny in scale, being only 87 by 20 feet. In 1937 an annex was added. The church is a vernacular version of the Gothic Revival style. In 1978, St. John's was the smallest mission church in the Ogdensburg diocese.

- f. **Pine Hill Cemetery.** The lovely Pine Hill Cemetery became the resting place of the Chapman family. The Chapmans, who were early benefactors of the community, donated this land as a burial place. Just over the hill lies the Greenwood Cemetery. Here lie some of the earliest settlers in the community with burials dating back to 1810.
- g. **Christ Episcopal Church.** This church was erected in 1834. It is the oldest religious structure remaining in the Village. Although altered, it retains its historic presence and houses a Tiffany alter window and a Charles Chapman mural.
- h. **The Stone Schoolhouse.** This quaint stone structure was the first Village schoolhouse; constructed in 1824. The one-room building was used until 1887. Later it served as a family dwelling, the Village Hall, and finally a power substation. In 1973 it was acquired by the Morristown Foundation and deeded to the Village. It is open to the public weekends 2-4 P.M. in July and August.
- i. **Frontier National Bank (Clerk's Office).** The Bank was established in 1906. It was Morristown's only bank and survived until 1941. It is now the Town and Village Clerk's Offices. The pressed metal siding is a forerunner to modern sidings. During business hours an interesting display on the Town's history can be seen. The original bank vault is still in use.
- j. **Brick/Stone House.** This Pre-Civil War residence is an example of a simplified Greek Revival structure of the mid-1800's. Both brick (Main Street level) and stone (Northumberland Street) are used in its construction.
- k. **Commercial Row.** Across Main Street from the Frontier National Bank (#9) and the Brick/Stone House (#10) are the remnants of a once flourishing row of Victorian commercial buildings. About one half of the predominantly Italianate style structures remain. Although they are somewhat altered and modernized, their bracketed roof lines indicate that they were constructed between 1870 and 1900, a period of great prosperity in Morristown.
- l. **Frontier House.** This early wooden framed structure became the Frontier House Hotel after the original Frontier House, located further down Main Street, burned. The building once housed a boys' school.
- m. **Morristown Bay Overlook.** Just beyond the Frontier House is a grassy slope overlooking Morristown Bay. The waterfront area supported much

of Morristown's early trade. John Canfield built the first storehouse and wharf in 1817 and until 1953, a car ferry ran to Brockville, Ontario. This was the site of a Customs House, established in 1856, the Comstock Pill Factory (1867), and the first railroad station. Trains entered the Village by tracks which ran along the waterfront from 1875 until 1958.

- n. **Richard B. Chapman House (Masonic Temple).** While possessing little architectural significance in its present condition, the house was built around 1850 in the Gothic Revival style. Members of the Chapman family, who ran several businesses including the Stone Store (#17), the Land Office (#18), and lumberyards, lived here. It became the Masonic Temple in 1940.
- o. **Paschal Miller House.** This house was constructed around 1840. It combines elements of Greek Revival and Federal styles. This unique house as a "cup and saucer" appearance, a regional term given to this type of architecture. Paschal Miller was town supervisor from 1825-1826.
- p. **Augustus Chapman Store (Wright's Marina).** The stone store was built in 1821 by Augustus Chapman and his partner, James Averill, making it one of the Village's earliest commercial buildings. At one time it was a steam powered lumber mill. It was always prominent in active trade with Canadian businesses in addition to serving early inhabitants.
- q. **Augustus Chapman Land Office (Morristown Library).** The Stone Land Office was built in 1820 when Augustus Chapman settled in the Village. This Greek Revival style building continues to serve the community, having been deeded for use as a public library in 1904 by the Chapman family.
- r. **Terrace Park.** Started in 1874 as a unique church camp overlooking the St. Lawrence River, this small but densely settled site still contains at least two cottages of architectural interest for their respective picturesque Gothic and Gothic Revival styles.
- s. **Former Military Academy (date unknown and builder unknown).** This stone and clapboard residence was originally built in the post Civil War period, and was briefly occupied as a military school. It is believed to have been the first split level stone house in the area.
- t. **Coppernall House (date and builder unknown).** Also known as the White Birches, the Coppernall House (so named for its former residents of many years) was probably built in the 1880's. The two-story clapboard structure is an excellent example of Greek Revival architecture.

- u. **Red Barn Museum and former Chapman farmhouse (date and builder unknown).** The original barn and stone house were probably built around 1832 when the property was owned by Richard D. Chapman. The first occupants may have been tenants. The present barn (built in 1904 to replace the original after it burned a year earlier) was opened as a museum in 1971 by its current owners.
- v. **Sarah Goodwin House (date and builder unknown).** This cottage style house was built of native stone. It probably dates back to over 130 years ago.
- w. **The New York State Archaeological/Site Inventory Map** indicates no archaeologically sensitive site within the local LWRP area. A SUNY Buffalo study does reference a possible woodlands period site (Prehistoric may be located within the LWRP Area)

2. **Analysis.** (See Plate 8a) Of the numerous historic resources inventoried, seven buildings are deemed highly significant since they have received recognition through successful placement on the State and National Registers of Historic Places. These seven consist of the Stone Windmill, the United Methodist Church, the Stone Schoolhouse, the Jacob Ford House, the Paschal Miller House, the Augustus Chapman Store, and the Augustus Chapman Land Office.

The remaining structures or sites inventoried have primarily local significance. Their value to the Town and Village lies in the cultural heritage they embody collectively. Taken as a whole, they are an integral and irreplaceable part of the waterfront's historic character as much as the highly significant individual structures are.

Problems, issues, and opportunities related the historic resources within the local waterfront area are as follows:

- a. **Potential Threats to Historic Resources.** Of the seven highly significant historic structures inventoried, three are under public (Village) ownership, one is under semi-public (church) ownership, and three are privately owned. Although the privately owned structures may be more susceptible to severe alteration or loss than their public or semi-public counterparts, all of the structures face the threats of deterioration and inappropriate improvements to counter the deterioration. If the Town and Village are successful in their attempts to spur revitalization and tourism development, the historic structures are likely to be faced with even greater threats: demolitions, wholesale alterations, and impacts from incompatible development or redevelopment on adjacent properties. The remaining, less significant, historic structures or sites face similar threats as a group.



- b. **Issue of Preservation.** Efforts of Village officials and the Morristown Foundation ultimately resulted in State and national recognition of the seven highly significant historic structures and the actual preservation of the Stone Windmill, the Stone Schoolhouse, the Augustus Chapman Land Office, and the Frontier National Bank Building. In spite of such efforts, there is no local support for regulations to preserve private and semi-public historic structures. The most that could be expected is the creation and approval of a review process for new non-residential development (or redevelopment) to prevent or minimize its impact on historic sites or structures. Local public education efforts - already instated through the auspices of the Morristown Foundation - can be increased to foster better citizen awareness of the value of historic resources and encourage responsible private preservation initiatives.
- c. **Tourism Opportunities.** The Morristown Foundation, with technical assistance from the St. Lawrence-Eastern Ontario Commission and financial participation of the Morristown Chamber of Commerce, has prepared a walking tour guide for "Historic Morristown". This guide reflects local awareness that historic resources can be important assets for increasing tourism. Future tourism development and promotion activities will undoubtedly take advantage of such assets.

#### D. AGRICULTURAL RESOURCES

1. **Inventory.** (See Plates 2a, 2b, 3a and 3b). Three significant pockets of prime agricultural soils were found within the local waterfront area. The first is located primarily within the boundaries of Jacques Cartier State Park. The southeastern part of the Village contains the second area, and the third lies north of the Chippewa Creek Marsh. Active farming only occurs in the second and third areas with the hay crops and pasture comprising the primary use.
2. **Analysis.** The area of active farming within the Village has marginal viability. It is bisected by NY Route 37, has rolling to steeply rolling topography and is susceptible to development pressure. Lying within the drainage area for Louce Creek, its tilling undoubtedly contributes to the siltation in inner Morristown Bay even though the erodibility of its soils is low. The limited agricultural production of this area is not considered to have measurable value for the overall local economy.

Active farming in the small area of prime agricultural soils north of the Chippewa Creek Mark is more viable. Given its flatter terrain and distance from waterfront areas more susceptible to development pressure, this area should continue in active farm use.



### **PART 3 EXISTING LAND AND WATER USES**

#### **A. Major Subdivisions**

As was inherent in the mapping of the Inventory and Analysis up to this point, the local waterfront area can be more readily examined in terms of four subareas: the Village, the eastern and western shorelines of the Town, and the area north of the Chippewa Creek. Existing land and water uses are discussed below for each of these subareas.

##### **1. Inventory.**

###### **a. VILLAGE (See Plate 9a).**

The types of existing land use within the Village are agricultural, residential, commercial, public and semi-public, and vacant/undeveloped. Generally speaking, the more intensive land uses lie to the east of Morristown Bay in the north central section of the Village. The specific pattern of land use, by type, is as follows:

1. **Agricultural.** Agricultural use (hay, cropland and pasture) involves perhaps one fifth of the village's total area. Large parcels with this use straddle NY Route 37 in the eastern and southeastern section of the Village.
2. **Residential.** This use is the most widely distributed within the waterfront. It hugs the river shoreline to the east and west of Morristown Bay, and occupies much of the frontage along the Village's north/south and east/west streets. No residential uses are situated directly along the NY Route 37 road frontage within the Village.
3. **Commercial.** The northern third of Main Street and the eastern shoreline of outer Morristown Bay contain almost all of the Village's commercial land use. While commercial uses are mixed with residential, public and semi-public and a few vacant properties along Main Street, they are separated by only one public use and several larger vacant areas along the bay.
4. **Public and Semi-public.** This type of use is the third most extensive in the waterfront, after agricultural and residential. The largest area of public and semi-public use is found south of Morris Street and east of Governor Street. Smaller pockets of this use occur at a number of points along Main Street.

5. **Vacant/undeveloped.** Comprising roughly one-third of the Village's land area, vacant/undeveloped land is the most extensive category of land use. The largest area in this category is situated south of Northumberland Street and west of Main Street. Other large pockets of undeveloped land lie along the northern and southern sides of Chapman Street, east of the elementary school and along the east side of the southern end of Main Street.
  6. **Water uses.** As noted earlier, boating and fishing are the most widespread water uses. Swimming is limited to the beach at Jacques Cartier State Park and the Village's shoreline park. The only other water use is the Village's water intake off Chapman Point.
- b. **EAST TOWN.** (See Plate 9a). Residential (seasonal and year-round) and vacant/undeveloped are the two primary land use categories in this area. The residential occurs mostly along the river's edge and in a few scattered pockets along NY Route 37. Small clusters of commercial use are found along this highway immediately east of the Village and near English Settlement Road. A few minor parcels are currently in agricultural use.
  - c. **WEST TOWN.** (See Plate 9b). Shoreline residential (seasonal) and vacant/undeveloped are again primary land use categories. Public and semi-public, however, is a major additional category due to the considerable acreage of Jacques Cartier State Park. Small areas of agricultural use are located near Atwood Road, Worden Road (west side), River Road (south side, east of Worden Road) and surrounding the Rt. 12/Rt. 37 interchange. Commercial uses are almost non-existent.
  - d. **North of Chippewa Creek.** (See Plate 9b). This area is almost equally divided between agricultural and vacant/undeveloped land.
2. **Analysis.** (See Plate 10). Existing land uses were examined in terms of relative stability, general compatibility or appropriateness and potential for beneficial uses through new development or redevelopment. As might be expected, most of the analysis centered on areas within the Village, especially in the vicinity of Morristown Bay.
    - a. **Areas Susceptible to Change.** Five waterfront areas can be characterized as having been, or likely to be, faced with more frequent changes in land use than other areas. Four such areas lie within the Village along the Main Street axis: off the north end (surrounding Wright's Marina); along the west side (between Morris and Northumberland Streets); along the east side (between Chapman and Northumberland Streets); and straddling the

south end (at NY Route 37). The fifth area susceptible to change lies along NY route 37 immediately east of the Village.

Marina expansion, effects of the market on the fuel supply/lumberyard operation and deterioration of several residences in this area are the principal factors making this area susceptible to change. Although the lumberyard is presently a stable use, it is not dependent on a shoreline location and will undoubtedly come under greater pressure for change now that sanitary sewers have been installed in this area.

Changing ownership of the bayside restaurant, expansion of facilities for Wright's Marina and conversions of Main Street business establishments to residential uses are the major factors in the second area. Sanitary sewers, further marina expansion and increased tourism will accelerate the overall change here, perhaps helping to reverse the Main Street trend back toward commercial uses (conversions and infill).

The third area, the east side of Main Street, is somewhat less susceptible to change. This is probably due to the traditionally greater proportion of residential use to the north of the main concentration of commercial uses at Northumberland Street. Nevertheless, sanitary sewers and expanded tourism will undoubtedly increase this area's susceptibility to commercialization.

Expanded tourism could also be the cause of change at the southern end of Main Street. With its open street frontage, scattered and deteriorated residences and proximity to NY Route 37 and its higher traffic volumes, this southernmost entrance to the Village may become attractive for convenience commercial uses.

Finally, the northernmost entrance at Chapman Street and NY Route 37 has been subject to past development of tourist accommodations. With expanded local tourism, this area would be likely to experience some change, probably in the form of expansion of existing establishments and partial conversion of residences to commercial uses.

- b. **Marginal, Incompatible or Inappropriate Uses.** From the perspective of best, long-range use of the waterfront, there are a number of sites with uses which are marginal, involve potential conflicts with adjacent uses or may not be the most appropriate for economic growth, stability or community character. While most of these uses may be viable over the short run, it will be in the best interest of the Town and Village to plan for their eventual transition to more beneficial uses in the long run. Included among this category of land uses are the lumberyard/fuel oil

operation, several marginal residences along the northside of Chapman Street, several pockets of residential uses along the west side of Main Street, a restaurant on the east side of the outer bay along Northumberland Street, a boat storage shed west of Water Street to the south of Northumberland Street, a small pocket of residential and agricultural use at the south end of Main Street and several residential uses along NY Route 37 near the Chapman Street entrance to the Village.

- c. **Potential for Beneficial Uses.** With the aim of promoting stable and appropriate land uses, the analysis briefly examined seven sites in the areas susceptible to change and two vacant/undeveloped areas for their development or redevelopment potential (FN8). Each of these areas is described below and identified by letter on Plate 10:
- a. Wright's Marina and Vacant Land - potential for marina expansion, condominium or boatel with boutique(s).
  - b. Vacant property between Main Street and Bayside Park - potential for restaurant, shops, parking, with emphasis on orientation to both Main Street and the bay.
  - c. Restaurant property - potential for resort accommodations, with restaurant and marina facilities and other traditional small harbor uses.
  - d. West side of outer bay - potential for bayside country inn, restaurant.
  - e. Lumberyard/fuel oil operation - potential for shoreline resort development or marine-related use.
  - f. Wooded hillside - potential for seasonal and year-round residences
  - g. Between Morris and Chapman Streets near Village's eastern limits - potential for travel -related convenience commercial uses.
  - h. West and south of inner bay - potential for water-dependent and/or water-enhanced commercial to the west, urban density residential further west, and large lot residential plus public access to the south.
  - i. Eastern ends of Morris and Chapman Streets/NY Route 37 between Village limit and English Settlement Road - potential for motel,

restaurant, tourist home or bed and breakfast accommodations, antique sales, roadside produce stands and related uses.

Existing water uses in the Village are not susceptible to significant change with the exception of more intensive use of the outer bay as its small harbor role increases. Swimming and boating will probably increase at Jacques Cartier State Park in the Town.

#### PART 4-IMPORTANT ECONOMIC ACTIVITIES

At present, the economic activities within the local waterfront area are limited to tourism and a small amount of farming. The tourism centers around Jacques Cartier State Park (camping, swimming, boating and fishing), Morristown Bay (Wright's Marina) and a small number of local businesses (trade with year-round residents, summer cottagers and a limited number of transients). The farming activity, though extensive in the southeastern portion of the Village, is not a major economic factor for the Village as a whole. The future economic well-being of the local waterfront area will rest almost entirely on the development and enhancement of local tourism (primarily within the Village and at the State Park) and continued attractiveness of the shoreline for summer cottage use (in the outlying shoreline areas).

#### SECTION II FOOTNOTES

FN 1 - Class A waters are suitable as a source of water supply for drinking, culinary or food processing purposes and any other usages with treatment. Class B waters are suitable for primary contact recreation and any other uses except as a source of water supply for drinking, culinary or food processing purposes. Class C waters are suitable for fishing and all other uses except as a source of water supply for drinking, culinary or food processing purposes. Class D waters are suitable for secondary contact recreation, but due to such natural conditions as intermittence of flow, water conditions not conducive to propagation of game fish, or streambed conditions, the waters will not support the propagation of fish.

FN2 - Ibid.

FN3 - Ibid.

FN4 - St. Lawrence-Eastern Ontario Commission, Evaluation of Shore Structures and Shore Erodibility, St. Lawrence River, New York State, Phase II, August, 1978.

FN5- Pursuant to 6 NYCRR Parts 662-665 and 6 NYCRR Part 608.

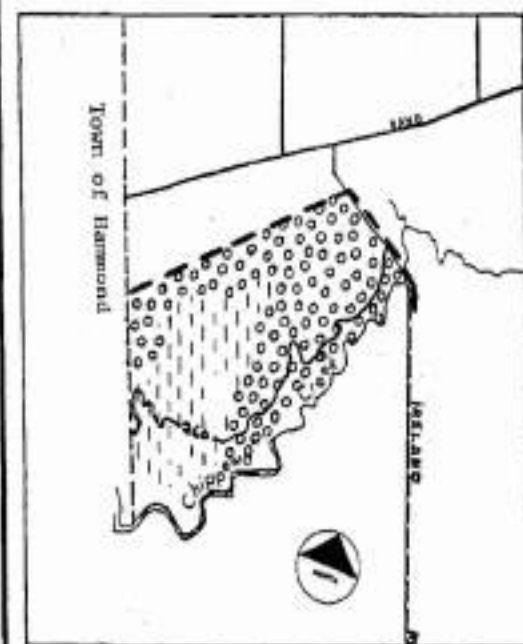
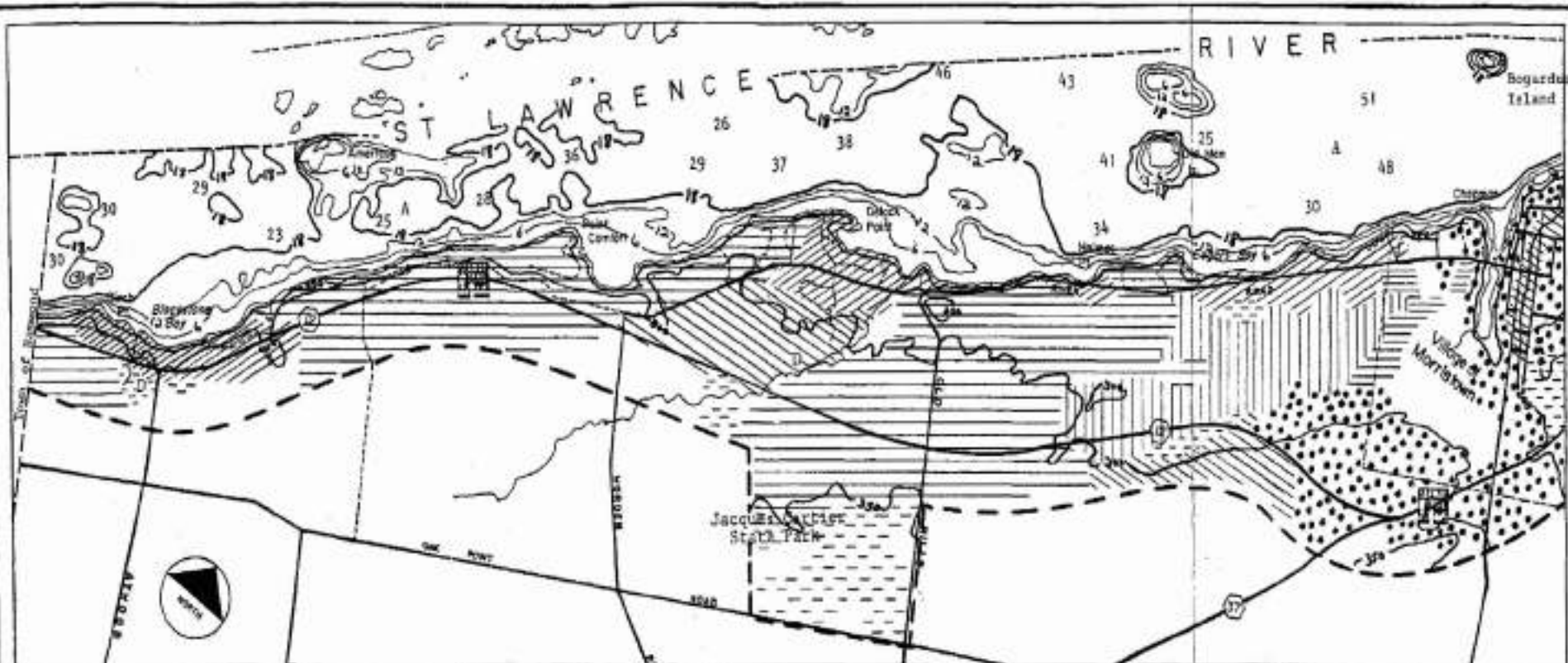
FN6- Smardon, Richard C., Price, William M. and Volpe, Rick M., St. Lawrence River Scenic access Study, School of Landscape architecture, College of Environmental Science & Forestry, SUNY, Syracuse, N.Y., 1987.

FN7- According to the NYS Archaeological Sites Location Map and local input.

FN8- Potential use here is based upon resource availability and appropriateness, not market feasibility.







# LEGEND

- |       |                                  |  |  |
|-------|----------------------------------|--|--|
| 49    | Depth Soundings                  |  | Insula Fine Sandy Loam   |
| -18-  | Water Contours                   |  | Insula - Rock Outcrop Complex  |
| -A-   | DEC Water Quality Classification |  | Benson - Gallo Outcrop Complex   |
| -250- | Land Contours - 50' intervals    |  | Benson - Fine Sandy Loam   |
| --    | Coastal Area Boundary            |  | Ruse Loam  |
|       |                                  |  | Galway, Hogansburg, Newstead and Muskellunge Variant Loams (Prime Ag. Soils)   |
|       |                                  |  | Collamer Silt Loam   |
|       |                                  |  | Niagara (silt), Elmwood (fine sandy), Copake (variant) Loams (Prime Ag. Soils) |

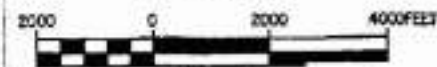
## TOWN OF MORRISTOWN

PLATE 2b (W. Town)

Water and Land Resources Inventory

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

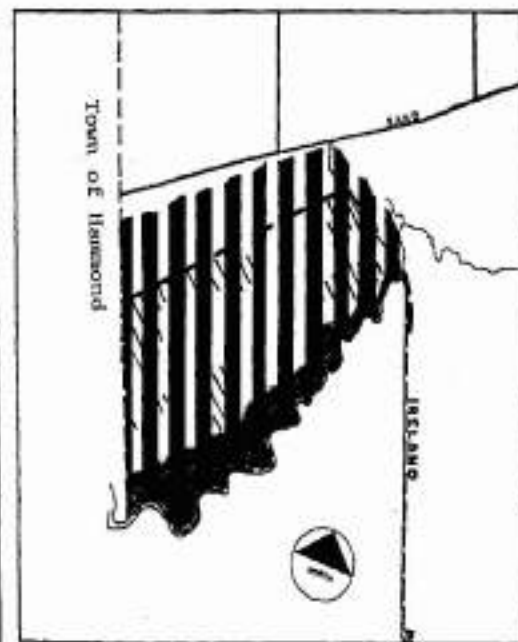
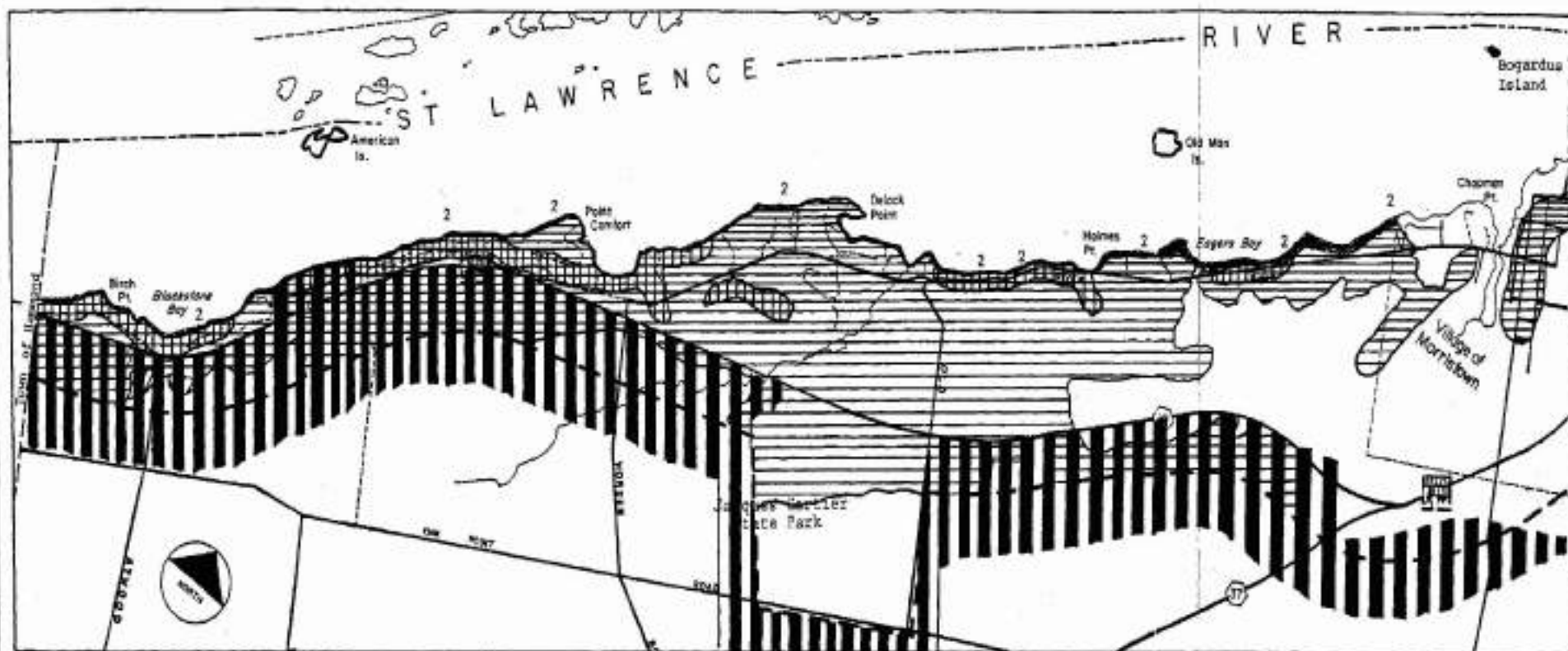
Scale 1:24,000



1"=2000'

II-56





### LEGEND

#### Water Resources

1. Direct Discharges
2. Potential Septic System Leachate

\*Pattern only applicable to Chippewa Creek Area.



#### Land Resources



Limitations imposed by Bedrock and/or Stony or Rocky Soils



Limitations imposed by Shallow, Poorly Drained or Excessively Drained Soils\*



Limitations imposed by Slope



Active Use of Prime Agricultural Soils



Flood Hazard Area



Agricultural District

--- Coastal Area Boundary

## TOWN OF MORRISTOWN

PLATE 3b (Village/E. Town)

Water and Land Resources Analysis

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

Scale 1:24,000



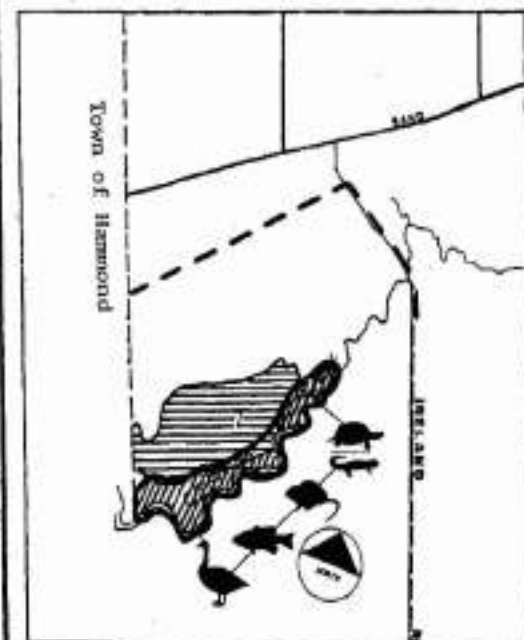
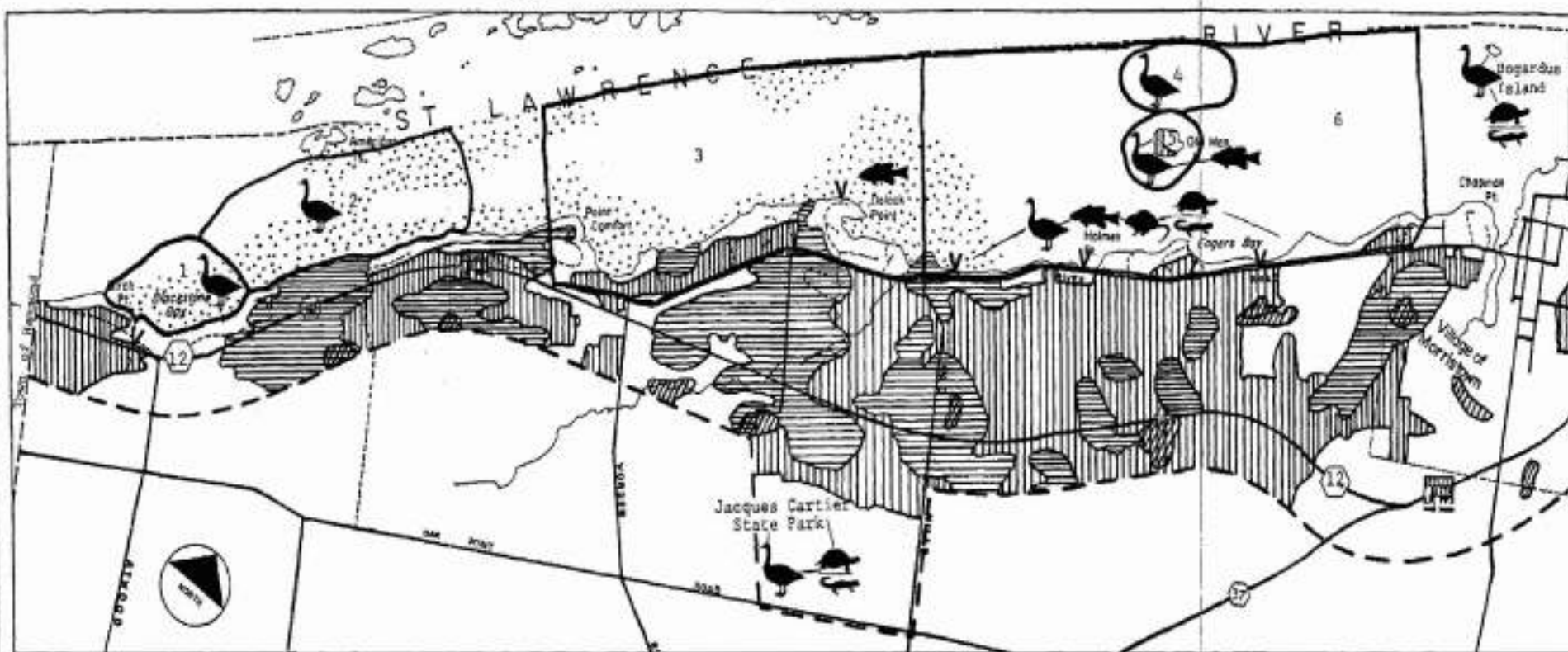
1"=2000'

II-60









### LEGEND

#### Vegetation

- Forest
- Forest Brushlands
- Wetlands
- Aquatic Vegetation\*

#### Fish & Wildlife

- Birds
- Fish
- Mammals
- Amphibians/Reptiles

#### General Habitat Areas

1. Blackstone Bay
2. American Islands Pool
3. Jacques Cartier State Park
4. Brockville Rock
5. Old Man Island
6. Morristown Mainland
7. Chippewa Creek

#### Scenic Resources

- (as labeled) St. Lawrence River
- (as labeled) Morristown Bay
- N.Y. Route 12 Scenic Highway
- Vistas
- Coastal Area Boundary

\*See 18' water depth contours on Plates 2a & 2b

## TOWN OF MORRISTOWN

Plate 4b (U. Town)

Vegetation, Fish & Wildlife  
and Scenic Resources Inventory

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

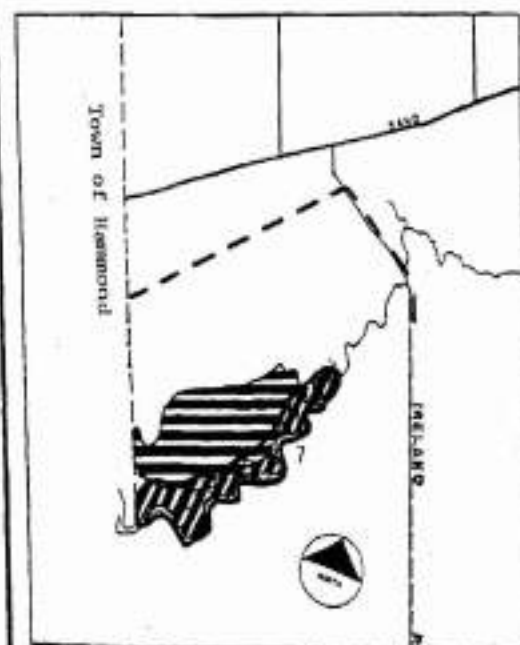
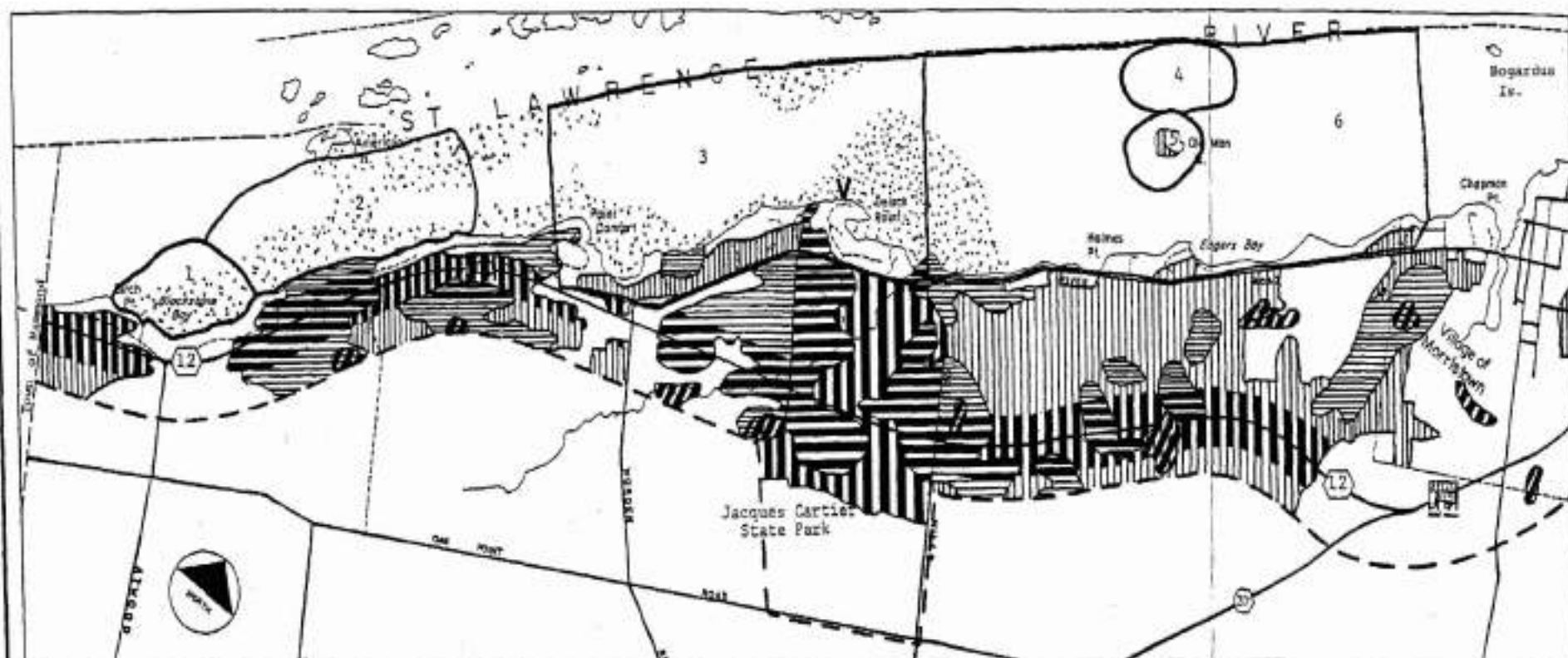
Scale 1:24,000



1" = 2000'

II-64





### LEGEND

#### Significant Vegetation

- Forest w/ scenic recreational or Buffer value
- Forest Brushlands w/ scenic or Recreational values
- Wetlands w/ scenic; recreational; habitat, flood storage or related use
- Aquatic vegetation w/ recreational or habitat value

#### Significant Fish & Wildlife Habitats

##### Local and Potential Statewide Significance

- 2. American Island Pool
- 7. Chippewa Creek Marsh

##### Local Significance Only

- 3. Jacques Cartier State Park

#### Significant Scenic Resources

##### Local and Potential Statewide Significance

(as labeled) St. Lawrence River

NY Route 12 Scenic Highway

##### Local Significance Only

Vistas

Coastal Area Boundary

## TOWN OF MORRISTOWN

PLATE 5b (N. Town)

Vegetation, Fish & Wildlife and Scenic Resources Analysis

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

Scale 1:24,000



1" = 2000'

II-68



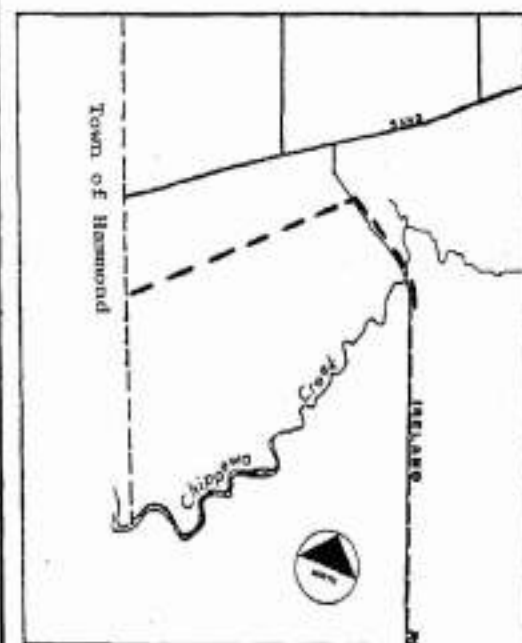
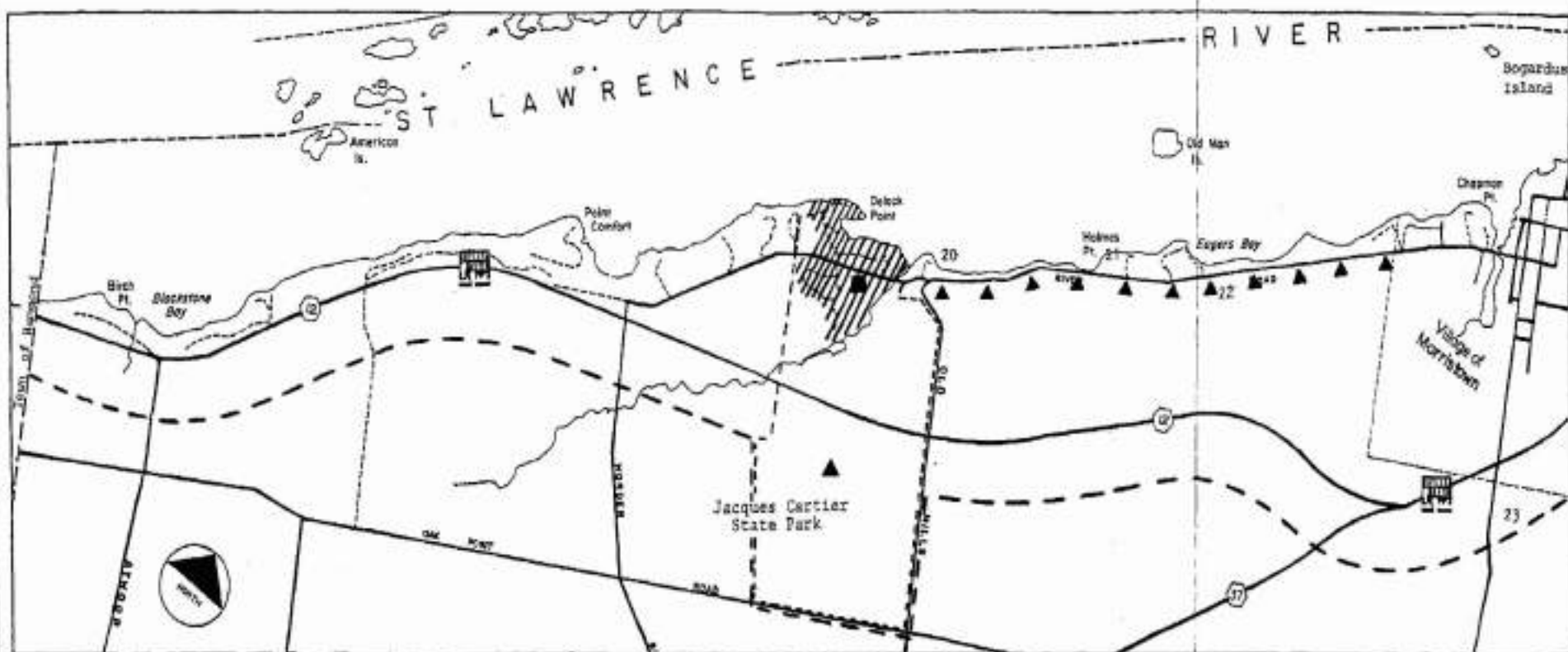












### LEGEND

#### Historic Resources

- 20. Former Military Academy
- 21. Coppermill House
- 22. Red Barn Museum
- 23. Sarah Goodwin House

#### Public Access and Recreation

- Existing Public Land
- Existing Public Access/Rec.
- Potential Public Access/Rec.
- Anticipated Heavy Demand

Coastal Area Boundary

## TOWN OF MORRISTOWN

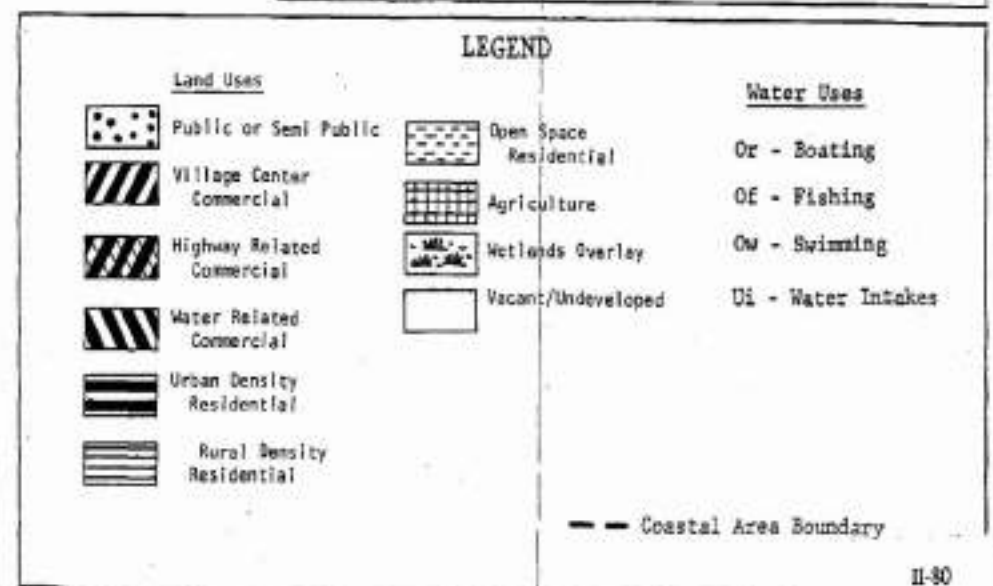
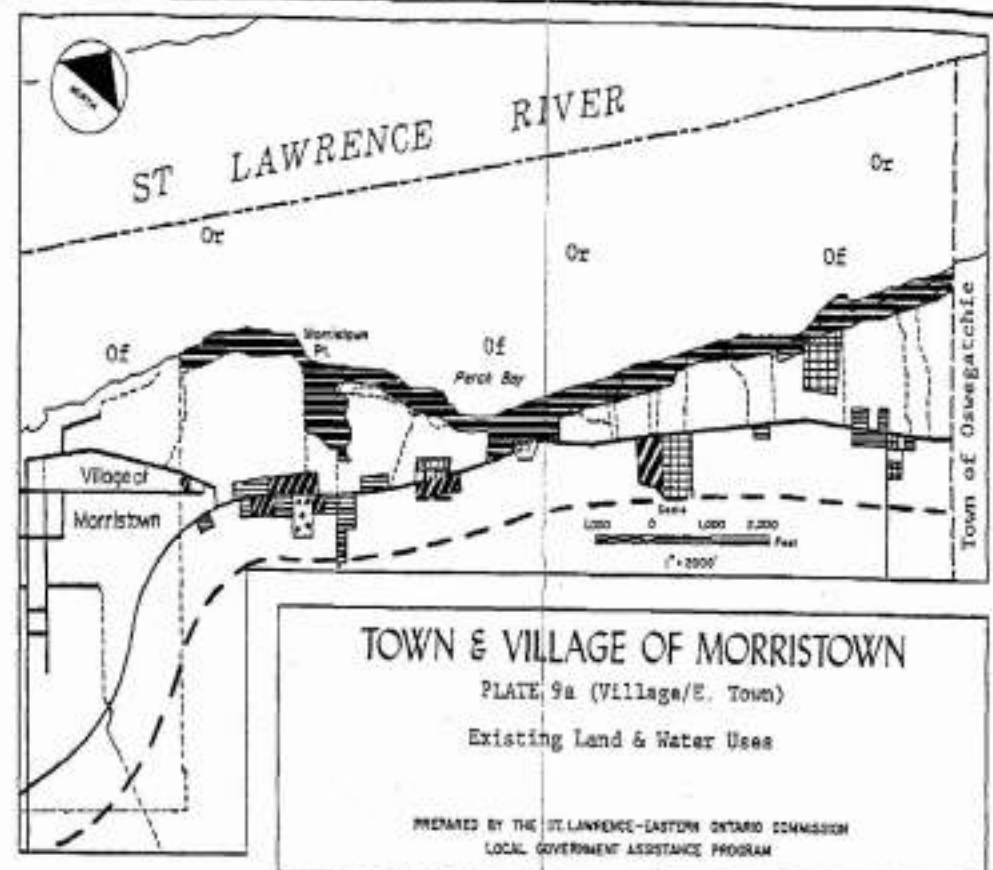
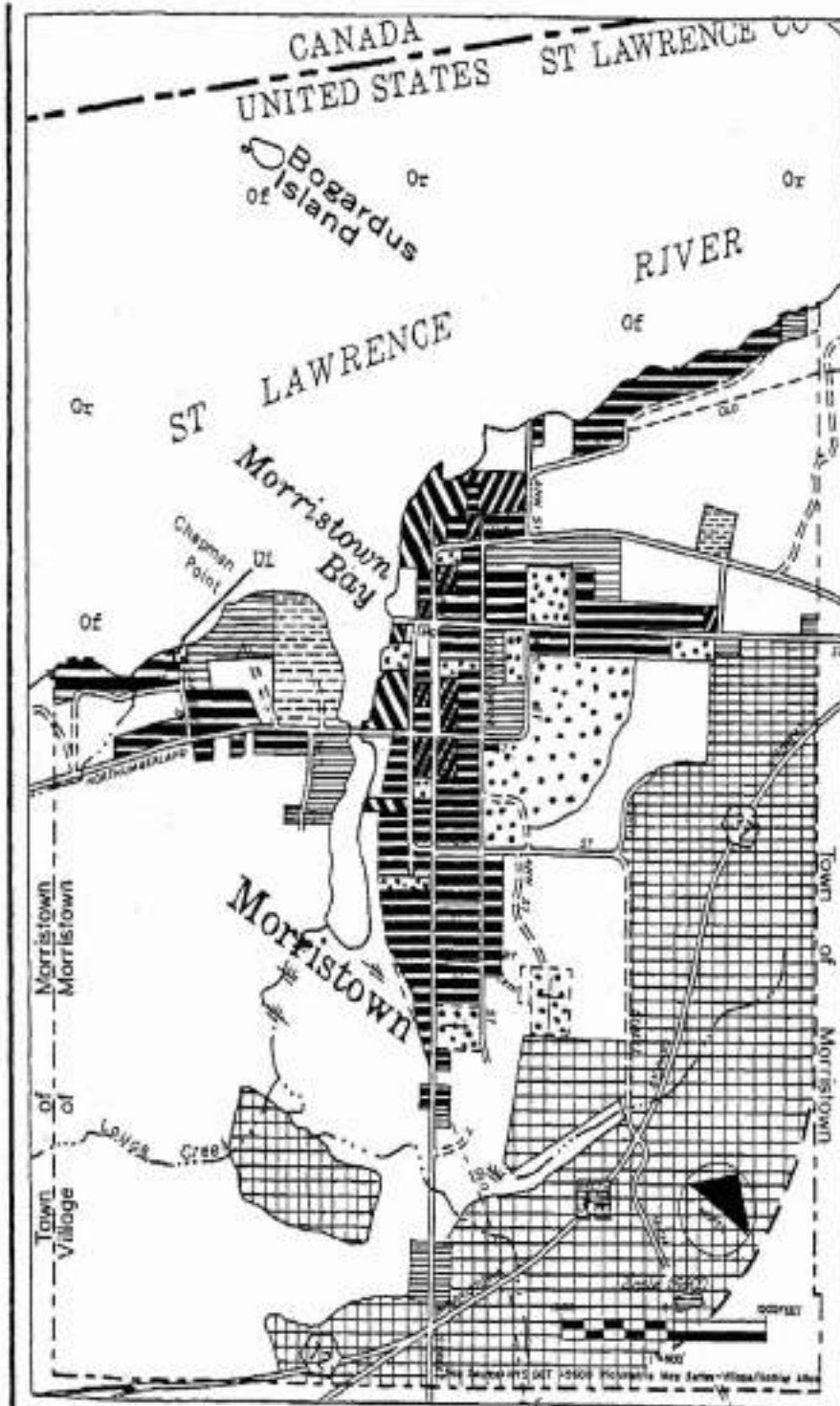
PLATE 8b (W. Town)

Public Access, Recreation, Historic and Archaeological Resources Inventory and Analysis

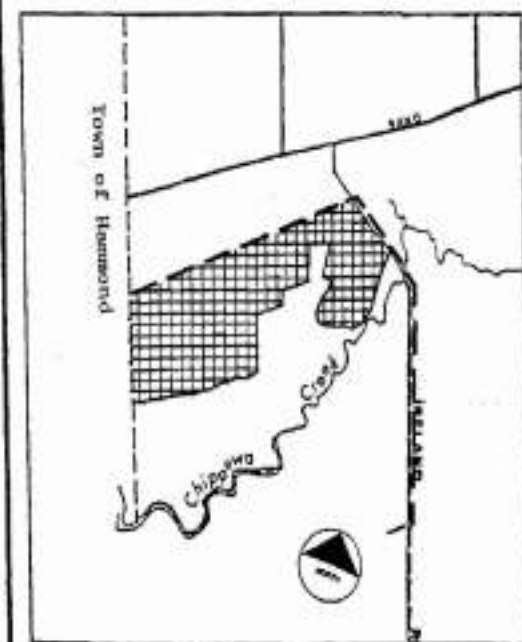
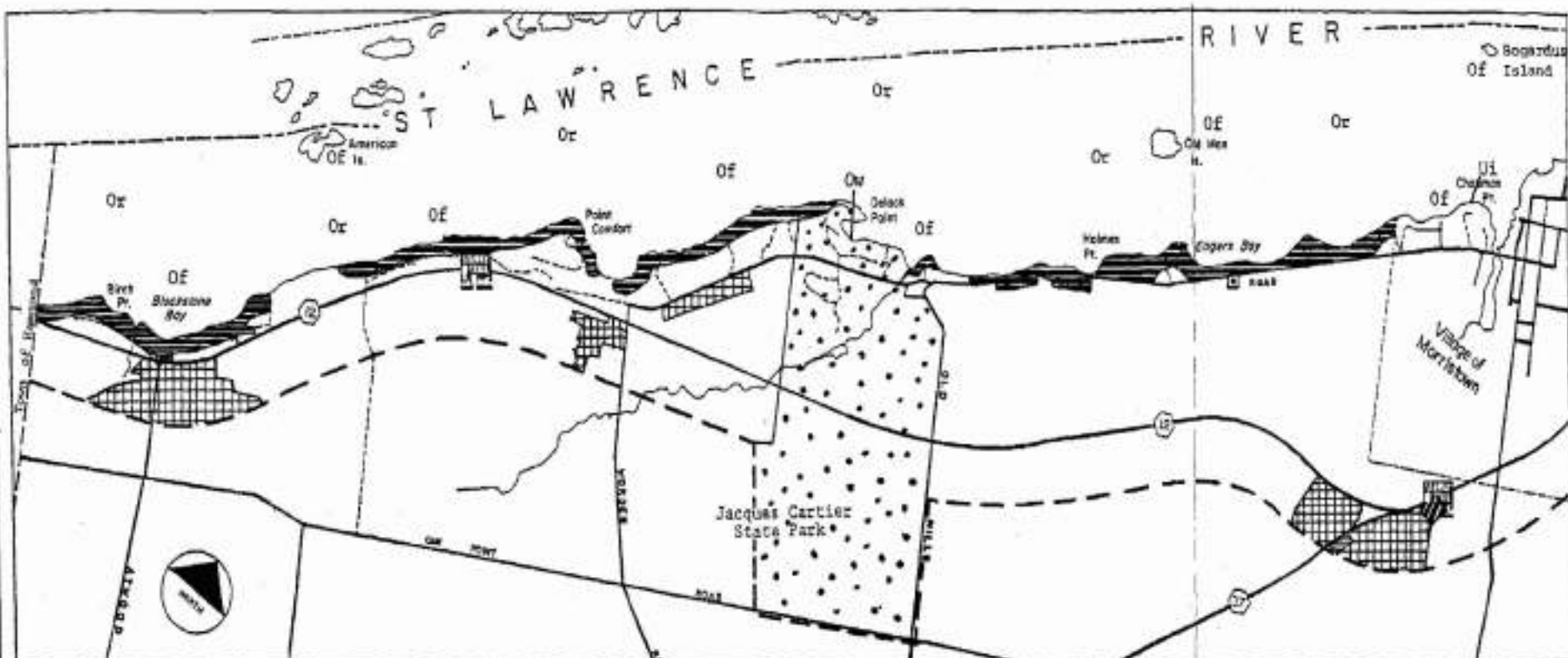
PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

Scale 1:24,000









### LEGEND

#### Land Uses

- Public or Semi Public
- Village Center Commercial
- Highway Related Commercial
- Water Related Commercial
- Urban Density Residential
- Rural Density Residential

- Open Space Residential
- Agriculture
- Wetlands Overlay
- Vacant/Undeveloped

#### Water Uses

- Or - Boating
- Of - Fishing
- Ow - Swimming
- Ui - Water Intakes

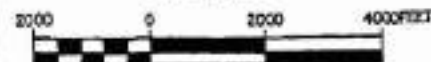
--- Coastal Area Boundary

### TOWN OF MORRISTOWN

PLATE 9b (W. Town)  
Existing Land & Water Uses

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

Scale 1:24,000



1"=2000'





### **SECTION III**

### **WATERFRONT REVITALIZATION PROGRAM POLICIES**

## INDEX OF POLICIES

<u>Waterfront Revitalization Program Policies</u>	<u>Page</u>
 <b>DEVELOPMENT POLICIES</b>	
Policies 1, 1A-D	Waterfront Revitalization III- 5
Policies 2, 2A-C	Water-Dependent Uses III- 7
Policies 4, 4A	Small Harbors III-11
Policies 5, 5A-B	Concentration III-12
Policy 6	Permit Procedures III-15
 <b>FISH AND WILDLIFE POLICIES</b>	
Policies 7A-C	Significant Fish and Wildlife Habitats III-15
Policy 8	Pollution of Fish and Wildlife Resources III-19
Policy 9	Recreational Use of Fish and Wildlife Resources III-20
 <b>FLOODING AND EROSION POLICIES</b>	
Policy 11	Siting of Structures III-21
Policies 13 A-B	Wave Action and Ice Movement III-22
Policy 14	Effects of Major Activities III-23
Policies 16, A-B	Public Funding of Shoreline Structures III-24
Policies 17, 17	Wave Action and Ice Movement A Use of Non-structural Measures III-25
 <b>GENERAL POLICIES</b>	
Policies 18, 18A	Consideration of Vital Interests III-26
 <b>PUBLIC ACCESS POLICIES</b>	
Policies 19, 19A-C	Access to Public Recreation Resources III-26
Policies 20, 20A-B	Access to Public Lands III-30
 <b>RECREATION POLICIES</b>	
Policies 21, 21A	Water-Related Recreation III-32
Policies 22, 22A	Recreation as Multiple Use III-33
 <b>HISTORIC AND SCENIC RESOURCES POLICIES</b>	
Policies 23, 23A	Historic Resources III-35
Policies 25, 25A	Visual Quality III-37
 <b>AGRICULTURAL LAND POLICY</b>	
Policy 26	Agricultural Lands Preservation III-39

#### ENERGY AND ICE MANAGEMENT POLICIES

Policy 27	Siting of Major Energy Facilities*	III-43
Policy 28	Ice Management	III-44

#### WATER AND AIR RESOURCES POLICIES

Policy 30	Water Pollution	III-45
Policy 31	Water Quality Classifications	III-45
Policy 32	Alternative Sanitary Waste Systems	III-46
Policy 33	Stormwater Runoff and Sewer Overflows	III-46
Policy 34	Vessel Wastes	III-47
Policy 35	Dredging and Dredge Spoil Disposal	III-47
Policy 36	Hazardous Wastes Transport and Storage	III-48
Policy 37	Non-Point source Water Pollution	III-49
Policy 38	Surface and Ground Water Protection	III-50
Policy 39	Solid Wastes Transport and Storage*	III-51
Policy 40	Major Energy and Industrial Facilities	III-51
Policy 41	Air Quality Standards*	III-52
Policy 42	PSD Land Area Reclassifications	III-52
Policy 43	Acid Rain*	III-52
Policy 44	Wetlands Protection	III-53

#### State Coastal Policies Not applicable to the Local Waterfront Area

The following State coastal policies have been determined to be not applicable to the local waterfront area of the village/Town of Morristown:

Policy 3	Major Ports	III-11
Policy 10	Commercial Fishing	III-21
Policy 12	Natural Protective Features	III-22
Policy 14	Erosion Protection Structures (EPS)	III-23
Policy 15	Mining, Excavation and Dredging	III-23
Policy 24	Scenic Resources of Statewide Significance	III-37
Policy 29	Off-shore Energy Development	III-45

## **LOCAL POLICIES AND APPLICABLE STATE POLICIES**

### **DEVELOPMENT POLICIES**

- POLICY 1**            **RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.**
- POLICY 1A**        **REVITALIZE AND DEVELOP DETERIORATED AND UNDERUTILIZED LANDS ALONG THE EAST SIDE OF OUTER MORRISTOWN BAY FROM NORTHUMBERLAND STREET TO ANN STREET ALONG THE RIVER WITH EMPHASIS ON WATER-DEPENDENT AND WATER-ENHANCED USES, TRADITIONAL SMALL HARBOR DEVELOPMENT, PUBLIC ACCESS AND RECREATION AND IMAGE ENHANCEMENT.**
- POLICY 1B**        **RESTORE AND REVITALIZE THE PRINCIPAL COMMERCIAL AREA ALONG THE NORTHERN END OF MAIN STREET WITH EMPHASIS ON REVERSING THE EROSION OF COMMERCIAL FACILITIES AND SERVICES, IMPROVING THE MAIN STREET IMAGE AND INCREASING THE ORIENTATION TO MORRISTOWN BAY.**
- POLICY 1C**        **ENCOURAGE NEW RESIDENTIAL DEVELOPMENT ALONG THE WOODED HILLSIDE NORTH OF CHAPMAN STREET AND, WITH APPROPRIATE PROTECTION FOR ADJACENT WETLANDS AND WILDLIFE HABITAT, TO THE SOUTH OF MORRISTOWN BAY.**
- POLICY 1D**        **REVITALIZE AND REDEVELOP DETERIORATED AND UNDERUTILIZED LAND AT THE SOUTHERLY ENTRANCE TO THE VILLAGE ALONG MAIN STREET.**

### **EXPLANATION OF POLICY**

All government agencies must ensure that their actions further the revitalization of waterfront areas within the Town of Morristown and Village of Morristown. The transfer or purchase of property; the construction of a building, park, road or other infrastructure; and the provision of tax incentives to businesses are examples of governmental means for spurring waterfront revitalization. When such actions are proposed, they must be analyzed to determine if they would contribute to or adversely affect the town's or village's waterfront revitalization efforts. Such efforts must be recognized as the most effective means of encouraging economic growth

in formerly dynamic areas of these communities, without consuming valuable open space elsewhere.

In furtherance of these revitalization policies, government agencies must consider all other pertinent policies in this program. Particular emphasis is required for those policies aimed at facilitating the siting of water-dependent uses, enhancing small harbor development, guiding development to areas with adequate infrastructure and public services, and simplifying permit procedures. (See Policies 2, 2A-2C, 4, 4A, 5, 5A-5B and 6).

While Policy 1 reflects the general aim of revitalizing and restoring all deteriorated and underutilized areas of the waterfront, Policies 1A through 1D are more specific. They target local revitalization efforts toward the five particular areas of concern identified in Section II. (Ref.: Sect. II, Part 2, A. Analysis, a and Plate 7.) The Town and Village have the primary responsibility for implementing these policies.

#### Policy Guidelines

The following guidelines are to be used in assessing proposed government actions affecting local waterfront revitalization in general and in the specific target areas:

1. Priority should be given to marina development and expansion, development of marine related commercial uses, increasing shoreline public access and recreation facilities and facilitating the siting of sewage treatment facilities in the revitalization target areas adjacent to the shoreline.
2. The actions should enhance existing and anticipated uses by:
  - a. improving deteriorated conditions, if present, on the site subject to the action;
  - b. providing for development of the site in a manner compatible with the character of the area in terms of scale, architectural style, density and intensity of use;
  - c. serving as catalysts to private investment or reinvestment in both the subject site as well as other deteriorated or underutilized sites nearby;
  - d. improving adjacent and upland views of the water; and
  - e. at a minimum, not causing deterioration, imposing obstacles to other public or private revitalization initiatives in the area, or affecting important views in a detrimental manner.
3. The actions should have the potential to:
  - a. improve opportunities for multiple use of the site, when appropriate;
  - b. benefit the local economic base; and
  - c. at a minimum, not jeopardize that base.



4. The action should generally satisfy the guidelines of other applicable policies set forth in this program.
5. If the action is proposed to take place outside of a deteriorated and/or underutilized waterfront area suitable for redevelopment and is either within the Town, Village or an adjacent coastal community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated and/or underutilized waterfront 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 COASTAL WATERS.**

**POLICY 2A                FACILITATE THE NEW LOCATION, REDEVELOPMENT AND EXPANSION OF WATER BASED PUBLIC AND COMMERCIAL RECREATION FACILITIES, MARINE SUPPORT SERVICES, AND OTHER WATER-DEPENDENT USES AROUND OUTER MORRISTOWN BAY, ESPECIALLY ALONG ITS EASTERN SHORE.**

**POLICY 2B                ENCOURAGE THE NEW LOCATION, REDEVELOPMENT AND EXPANSION OF RIVERSIDE AND BAYSIDE RESORTS, RESTAURANTS, AND OTHER WATER-ENHANCED TOURIST FACILITIES AROUND MORRISTOWN BAY, ESPECIALLY ALONG ITS WESTERN SHORE AND AT LOCATIONS INLAND FROM OR ON THE PERIPHERY OF THE OUTER BAY'S EASTERN SHORE.**

**POLICY 2C                FACILITATE THE EXPANSION OF WATER-DEPENDENT PUBLIC ACCESS AND RECREATION FACILITIES ELSEWHERE ALONG TOWN AND VILLAGE SHORELINES WHERE COMPATIBLE WITH EXISTENT USES AND WARRANTED BY INCREASES IN DEMAND, IF ANY.**

**EXPLANATION OF POLICY**

Given the nearshore water depths, exposure to wind and wave action, shallow soils overlying bedrock, sharp topographic relief and the nearly continuous and very stable cottage development along most of the St. Lawrence River shoreline within the Town and Village, little waterfront space remains that is suitable for development. (Ref: Plates 2a through 6b) Competition for shoreline property along the river will undoubtedly be confined, for the most part, among non-water-dependent residential uses. Shoreline property around outer Morristown Bay, on the other hand, has greater development or redevelopment potential due to underutilized or deteriorated

conditions and the small harbor attraction. (Ref: Sect. II, Part 2, A. Analysis, a-c and Plate 7). Competition for these water-dependent sites around Morristown's Bay should increase due to the completion of public infrastructure and the expected growth of Morristown's Recreation and tourism activities.

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 coastal waters. To ensure such "water-dependent" uses can continue to be accommodated within the local waterfront area, government agencies will avoid undertaking, funding or otherwise approving non-water dependent uses when such uses would preempt the reasonably foreseeable water-dependent uses; furthermore government agencies will utilize appropriate existing programs to encourage water-dependent activities.

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

1. Uses which depend on the utilization of resources found in coastal waters (for example: fishing);
2. Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short- and long-term storage facilities);
4. Structures needed for navigational purposes (for example: dams and lighthouses);
5. Flood and erosion protection structures (for example: breakwaters and 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);
8. Scientific/educational activities which, by their nature, require access to coastal waters (for example: water resource nature centers); and
9. 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 uses 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, 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 that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront (e.g., restaurants, hotels and other tourist accommodations).

The Town and Village will facilitate the location and expansion of water-dependent uses in its waterfront with particular emphasis on those which will contribute to local revitalization efforts and tourism development. Uses to be facilitated include marinas, boat repair or service facilities, bait and tackle shops, public boat launches and docks, tour or fishing charter boat operations and other marine-related businesses (salvage, dredging, construction, etc.). The primary area targeted for such uses is the small harbor area around Morristown Bay (See Policies 4 and 4A), with special emphasis on the bay's eastern shore. The eastern shore is emphasized because of its suitability (proximity to infrastructure and services, present commercial character with viable water-dependent uses already established, and existing deteriorated and underutilized conditions with vacant land for future expansion ) and the likelihood of competition from non-water dependent uses increasing significantly with the installation of public sanitary sewers in the waterfront.

Additional water-dependent public access and recreation facilities will be stressed along the river, both at the State Park and as a multiple use near outer Morristown Bay. If warranted by demand, and if feasible in terms of cost and compatibility with adjacent residential uses, such facilities will also be pursued elsewhere along the town's shoreline.

Uses to be encouraged in the vicinity of the small harbor- but not at the expense of water-dependent uses - include restaurants, accommodations, tourist shops and other resort establishments. In particular, these water-enhanced uses will be favored along the western side of outer Morristown Bay and at sites inland of or peripheral to the eastern shore's areas targeted for water-dependent uses.

#### Policy Guidelines

As in the target areas (or areas of emphasis noted above), the selection of other sites where water-dependent uses will be encouraged and facilitated shall adhere to the following guidelines:

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: the availability of public sewer and water services; ability to accommodate parking and necessary storage; and the accessibility of the site via existing streets.
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 coastal 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 uses 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 coastal 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 village'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, the Town and the Village 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, all government agencies should favor them in terms of capital programming, leasing arrangements on publicly owned land, abatement of property taxes, loan guarantees, low interest loans, economic development strategies and permitting procedures. The Town and Village will develop and maintain a list of suitable sites available for non-water dependent uses to assist developers seeking alternative sites for their proposed uses.

**POLICY 3            THE STATE COASTAL POLICY REGARDING THE  
DEVELOPMENT OF MAJOR PORTS IS NOT APPLICABLE TO  
MORRISTOWN.**



**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 4A**          **ENCOURAGE THE DEVELOPMENT OF OUTER MORRISTOWN BAY AS A PROTECTED AND NAVIGABLE SMALL HARBOR WITH EMPHASIS ON IMPROVING AND EXPANDING PUBLIC AND PRIVATE FACILITIES FOR RECREATIONAL BOATING, FISHING, SIGHTSEEING, SHOPPING AND OTHER TOURIST ACTIVITIES.**

**EXPLANATION OF POLICY**

Revitalization in the Village and, in varying degrees, economic development in both the Town and Village will depend on the success of local efforts to re-establish the small harbor functions of Morristown Bay. Once the focal point of business and industry for rail and waterborne transport of goods and people, the bay's economic role today is rather limited. While the railroad, ferry and waterfront industry are not likely to return, the bay has, nonetheless, considerable potential as a protected, navigable small harbor for recreational boating and as a focal point for local tourism. Local efforts to tap this potential must dovetail closely with measures aimed at revitalizing deteriorated and underutilized areas (see Policies 1, 1A and 1B), facilitating water-dependent uses (see Policies 2, 2A-2C) and concentrating development in areas with available infrastructure and services (see Policies 5 and 5A). Protection of the bayside views and enhancement of the waterfront image must also be considered as part of harbor development (See Policy 25A).

**Policy Guidelines**    The following guidelines will be used in determining consistency with these policies:

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 (e.g., marinas, boat repair services, tour boat operations, resorts or tourist accommodations).
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 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 recreational fishing and boating.
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.

**POLICY 5**            **ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.**

**POLICY 5A**          **MAINTAIN, AND WHERE NECESSARY, IMPROVE INFRASTRUCTURE AND SERVICES IN THOSE WATERFRONT AREAS WITH THE PRINCIPAL CONCENTRATIONS OF COMMERCIAL AND YEAR-ROUND RESIDENTIAL USES.**

**POLICY 5B**          **ENCOURAGE THE DEVELOPMENT OF USES WHICH HAVE LITTLE OR NO POTENTIAL TO GENERATE A DEMAND ON PUBLIC SERVICES AND INFRASTRUCTURE IN THOSE WATERFRONT AREAS WHERE EXISTING SERVICES ARE LIMITED AND/OR NONEXISTING.**

#### EXPLANATION OF POLICY

The governing bodies of the Town and Village can guide and direct the pattern of development in the waterfront by use of their construction, taxing, funding and regulatory powers. Whenever it is feasible, these powers will be used to foster development within, contiguous to or in close proximity to existing areas of concentrated development where adequate infrastructure and public services exist or are planned to be made available with reasonable assurances (See Plates 6A, 6b and 7). Measures to concentrate new development will give due consideration to development limiting factors such as bedrock, soil conditions, slope, flood hazard, erosion potential, community character and sensitive environmental areas (Ref: Plates 3a, 3b, 5a, and 5b and 7).

Policy Guidelines For any action that would result in large scale development or an action which would facilitate or serve future development, determination shall be made as to whether the action is within, contiguous to, or in close proximity to existing areas of concentrated development where adequate 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 coastal area are generally areas of concentrated development where infrastructure and public services are adequate.

2. Other locations in the coastal 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 1 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 1 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 fire fighting) 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 coastal development policy does not apply to the following types of development projects and activities.

- Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.

- Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.
- Water-dependent uses with site requirements not compatible with this policy or when alternative sites are not available.
- Uses and/or activities which because of public safety consideration should be located away from populous areas.
- Rehabilitation or restoration of existing structures and facilities.
- Development projects which are essential to the construction and/or operation of the above uses and activities.

In certain areas where development is encouraged by these policies, the condition of existing public water and sewage infrastructure and other services may necessitate improvements. Those State and federal agencies charged with allocating funds for investments in public services and water and sewer facilities should give high priority to the needs of such areas so that full advantage may be taken of the 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, the Town and Village will make every reasonable effort to coordinate and expedite local permit procedures and regulatory activities as long as the integrity of the regulatory objectives is not jeopardized. Nevertheless, the Town and Village efforts in expediting permit procedures are part of a much larger system for regulating development, which also includes county, State and federal government agencies. Regulatory programs and procedures should be coordinated and synchronized between all levels of government and, if necessary, legislative and/or programmatic changes will be recommended from the local level.

**FISH AND WILDLIFE POLICIES**

**POLICY 7            SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS  
IDENTIFIED ON THE COASTAL AREA MAP WILL BE  
PROTECTED, PRESERVED AND WHERE PRACTICAL,  
RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS  
HABITATS.**

**POLICY 7A      CHIPPEWA CREEK MARSH SHALL BE PROTECTED,  
PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO  
MAINTAIN ITS VIABILITY AS A HABITAT.**

**EXPLANATION OF POLICY**

Chippewa Creek Marsh is a habitat area with local significance that has been proposed for designation as a State Significant Coastal Fish and Wildlife Habitat. Chippewa Creek Marsh is one of about four very large, undeveloped, streamside wetland ecosystems along the St. Lawrence River. It provides valuable habitat for a variety of fish and wildlife species (Ref.: Sect. II, Part I, E. Analysis 1, Plate 5b, and Figure 1b.)

Any activity that would substantially degrade water quality, increase turbidity or sedimentation, reduce water levels, alter flows, or increase water level fluctuations in Chippewa Creek Marsh could adversely affect a variety of fish and wildlife species. Discharges of sewage or storm water runoff containing sediments or chemical pollutants (including fertilizers, herbicides, or insecticides) may result in adverse impacts on fish and wildlife resources in the area. Spills of oil or other hazardous substances are a potentially serious threat to fish and wildlife in Chippewa Creek Marsh, and every effort should be made to prevent such contamination. Elimination of wetland habitats or significant human encroachment into the area, through dredging, filling, construction of roads, waste disposal, or motorboat access development, could severely reduce its value to fish and wildlife. Channelization would reduce stream channel diversity, and result in a direct loss of valuable habitat area. However, habitat management activities, including water level management, may be designed to maintain or enhance populations of certain fish or wildlife species. Any significant disturbance of Chippewa Creek Marsh would be especially detrimental during fish spawning and nursery periods (March-July for most warmwater species) and wildlife breeding seasons (April-July for most species). Barriers to fish migration in the creek, whether physical or chemical, could have significant impacts on fish populations within the marsh, and in Chippewa Bay. Existing areas of natural vegetation bordering Chippewa Creek Marsh should be maintained for their value as cover for wildlife, perch sites, and buffer zones. Efforts should be made to reduce stream disturbance by agricultural activities, especially grazing, through fencing and restoration of riparian vegetation. Development of additional public access may be desirable to increase compatible human uses of the marsh, but must be designed to minimize disturbance of sensitive fish and wildlife species that occur in the area.

In order to protect this habitat, development shall not be undertaken if it may destroy or significantly impair the viability of the area as a habitat. Potentially damaging actions, such as those described above, would be inconsistent with this policy.

**POLICY 7B      AMERICAN ISLAND POOLS SHALL BE PROTECTED,  
PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO  
MAINTAIN ITS VIABILITY AS A HABITAT.**

### EXPLANATION OF POLICY

American Island Pools is a habitat area with local significance that has been proposed for designation as a State Significant Coastal Fish and Wildlife Habitat. The American Island Pools is an area in the St. Lawrence River containing relatively large, open water pools during the ice-in season. During the winter months (December-March), the pools attract major concentrations of migratory birds, including American Bald Eagles (Ref.: Sect.II, Part 1, E. Analysis, 2, Plate 5b, and Figure 1a.)

Any activity that would substantially degrade water quality, alter river flows or ice formation, or increase human disturbance at American Island Pools could adversely affect fish and wildlife use of this area. Winter navigation use of the St. Lawrence Seaway could be an especially serious threat to the area, as a result of flow diversion, shipping traffic in the vicinity, and increased risk of spills of oil or other hazardous substances. Major physical alteration to the river channel, through dredging or installation of diversion structures (including water supply intakes), could enhance ice formation around American Island and impact critical wildlife feeding areas. Introduction of toxic chemicals from upstream sources may also affect bird populations using these pools. Thermal discharges, depending on time of year, may have variable effects on use of the area by aquatic species and migratory birds. Human disturbances around American Island Pools should be minimized from December through March.

In order to protect these two habitats, development shall not be undertaken if it may destroy or significantly impair the viability of the area as a habitat. Potentially damaging actions, such as those described above, would be inconsistent with this policy.

**POLICY 7C      OTHER HABITAT AREAS OF LOCAL SIGNIFICANCE - MORRISTOWN BAY, BOGARDUS ISLAND, THE BLUFFS FROM BLOCKSTONE BAY AREA DOWNRIVER TO JACQUES CARTIER STATE PARK, IMMEDIATELY DOWN RIVER OF POINT COMFORT, THE SHOALS OFF POINT COMFORT, AND THE WATERS IN THE VICINITY OF JACQUES CARTIER STATE PARK SHALL BE PROTECTED, AND WHERE NECESSARY AND PRACTICAL, RESTORED AND EXPANDED. THIS SHALL BE DONE TO PROTECT AND MAINTAIN THE VIABILITY AND VALUE OF THESE AREAS TO THE TOWN AND VILLAGE OF MORRISTOWN.**

### EXPLANATION OF POLICY

Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. Land and water uses or development shall not be undertaken if such actions destroy or significantly impair the viability of a habitat area with local significance. When the action significantly reduces a vital resource (e.g., temperature, substrate) beyond the tolerance range of an organism, then the action would be considered to "significantly impair" the habitat.



Indicators of a significantly impaired habitat may include: reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

Morristown Bay, Bogardus Island, Perch Bay, and the littoral waters off Jacques Cartier State Park are habitat areas with local significance. (Ref.: Sect. II, Part 1, E. Analysis, c-f, Plates 5a and 5b.) Each of these areas is popular for fishing. The waters off the State Park are also important for waterfowl hunting. All of these habitat areas are supportive of the local tourism and recreation economies.

The bluff shoreline from Blackstone Bay downriver to the Jacques Cartier State Park has been identified as an American Bald Eagle roosting and feeding site and as such has been determined to be a habitat of local significance. Future research may determine expanded useage which may upgrade this designation. Any proposed development shall not jeopardize this habitat by disturbing or removing the vegetation that makes this habitat attractive.

Those waters downriver of Point Comfort have been identified as muskellunge spawning and rearing areas. Any future development in this general area shall not endanger the viability of these waters.

Proposed public or private development actions in or near these six locally significant habitat areas must be undertaken in a manner that will not jeopardize their continued viability.

#### Policy Guidelines

The range of generic activities most likely to affect the above six habitat areas of local significance includes, but is not limited to, the following:

1. Draining wetlands, ponds: Cause changes in vegetation, or changes in groundwater and surface water hydrology.
2. Filling wetlands, shallow areas of streams, lakes, bays, estuaries: May change physical character of substrate (e.g., sandy to muddy, or smother vegetation, alter surface water hydrology).
3. Grading land: Results in vegetation removal, increased surface runoff, or increase soil erosion and downstream sedimentation.
4. Clear cutting: May cause loss of vegetative cover, increase fluctuations in amount of surface runoff, or increase streambed scouring, soil erosion, sediment deposition.
5. Dredging or excavation: May cause change in substrate composition, possible release of contaminants otherwise stored in sediments, removal of aquatic vegetation, or change circulation patterns and sediment transport mechanisms.

6. Dredge spoil disposal: May induce shoaling of littoral areas, or change circulation patterns.
7. Physical alteration of shore areas through channelization or construction of shore structures: May change volume and rate of flow or increase scouring, sedimentation.
8. Introduction, storage or disposal of pollutants such as chemical, petrochemical, solid wastes, nuclear wastes, toxic material pesticide, sewage effluent, urban and rural runoff, leachate of hazardous and toxic substances stores in landfills: May cause increased mortality or sublethal effects on organisms, alter their reproductive capabilities, or reduce their value as food organisms.

The range of physical, biological and chemical parameters which should be considered includes, but is not limited to, the following:

- Physical parameters such as: Living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates.
- Biological parameters such as: Community structure, food chain relationships, species diversity, predator/prey relationships, population, size mortality rates, reproductive rates, behavioral patterns, and migratory patterns.
- Chemical parameters such as: Dissolved oxygen, carbon dioxide, ph, dissolved solids, nutrients, organics, salinity, pollutants (heavy metals, toxic and hazardous materials).

When a proposed action is likely to alter any of the biological, physical or chemical parameters as described above beyond the tolerance range of the organisms occupying the habitat, the viability of that habitat has been significantly impaired or destroyed. Such action, therefore, would be inconsistent with the above policy.

**POLICY 8            PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIOACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECTS 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 (S27-0901 (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 (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed." A list of hazardous wastes has been adopted by the Department of Conservation (6 NYCRR Part 371).

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 bioaccumulation in the State's coastal 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. All public agencies must consider the absence of sewers in the town's waterfront and the extent therein of soils poorly suited to the use of conventional septic systems as constraints to intensive development in the vicinity of identified fish and wildlife habitats. (Ref.: Plates 3a, 3b, 6a, and 6b.)

**POLICY 9            EXPAND RECREATIONAL USE OF FISH AND WILDLIFE  
RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO  
EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS,  
AND DEVELOPING NEW RESOURCES.**

**EXPLANATION OF POLICY**

Recreational uses of coastal 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 area and which takes into consideration other activities dependent on these resources. Also, such efforts must be made in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include biology of the species, carrying capacity of the resource, public demand, costs and available technology.

The Town and Village waterfront areas contain a variety of fish and wildlife habitats. Recreational demand for fishing and, to lesser extents, hunting and trapping has increased significantly in the Thousand Islands region and in the local waterfront area. To accommodate this demand, the Town and Village will work cooperatively with other public and private interests to expand fish and wildlife resources (e.g., through stocking) and to increase the recreational use of such resources (see Policies 19 through 22).

### Policy Guidelines

The following should be considered by all government agencies as they determine the consistency of their proposed action with the above policy:

1. Consideration should be made as to whether such action will impede existing or future utilization of recreational fish and wildlife resources in the local waterfront area.
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 Policies 7a, 7b, and 7c) 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        THE STATE COASTAL POLICY REGARDING DEVELOPMENT OF  
COMMERCIAL FISHING IS NOT APPLICABLE TO  
MORRISTOWN**

### FLOODING AND EROSION HAZARDS POLICIES

**POLICY 11        BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE  
COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY  
AND THE ENDANGERING OF HUMAN LIVES CAUSED BY  
FLOODING AND EROSION.**

### Explanation of Policy

Flooding: Areas of special flood hazard in the Town and Village were identified and mapped by the Federal Insurance Administration (Ref: Sect. II, Part 1, C. Analysis, F). These areas are subject to local flood control regulations of the two communities.

Shoreline Erosion: (Not Applicable.) Coastal erosion is addressed by the State Coastal Erosion Hazard Area Law of 1981, ECL Article 34 (CEHA) which sets up a development permit system and requires DEC to map all coastal Erosion Hazard Areas in the State. DEC has indicated, however, that they do not have plans to identify Coastal Erosion Hazard Areas along the St. Lawrence River. In addition, based on existing information, it is unlikely that the local waterfront area would have sufficient coastal erosion to warrant the adoption of CEHA

regulations at any level of government. Local officials have not identified any shoreline subject to measurable active erosion. Because of the very rocky nature of the St. Lawrence River shoreline along the Village and Town waterfront areas, shoreline erosion is not an issue (Ref.: Sect. II, Part 1, C. Analysis, e.)

**Upland Erosion:** Upland erosion is not likely to be a significant concern within the local waterfront area (Ref: Section II, C. Analysis, e). Nevertheless, tilling of the soils in the southeasterly portion of the village may be contributing to the siltation that has been occurring in inner Morristown Bay (Ref: Sect. II, Part 1, C. Analysis, d). Public and private actions involving development in this area should be guided to avoid or minimize substantial disturbance of existing vegetative cover to prevent erosion or, at a minimum, be required to employ suitable erosion and sedimentation control techniques after disturbance has occurred, including proper drainage.

**POLICY 12**            **THE STATE COASTAL POLICY REGARDING MINIMIZING DAMAGE TO FLOODING AND EROSION NATURAL PROTECTIVE FEATURES IS NOT APPLICABLE TO MORRISTOWN.**

**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 13A**           **THE CONSTRUCTION OR RECONSTRUCTION OF DOCKS, BOATHOUSES, BOAT HOISTS, PUBLIC ACCESS FACILITIES AND OTHER SHORELINE STRUCTURES SHALL BE UNDERTAKEN IN A MANNER WHICH WILL, TO THE MAXIMUM EXTENT PRACTICABLE, PROTECT AGAINST OR WITHSTAND THE DESTRUCTIVE FORCES OF WAVE ACTION AND ICE MOVEMENT.**

**POLICY 13B**           **WHERE ENVIRONMENTALLY SOUND, COST-EFFECTIVE MEASURES CAN BE TAKEN TO MINIMIZE THE WAVE ACTION AND ICE MOVEMENT ITSELF, SUCH MEASURES SHALL BE PURSUED IN CONSULTATION WITH APPROPRIATE STATE AND FEDERAL AGENCIES, LOCAL MARINA AND SHORELINE INTERESTS, AND EXPERTS IN THE FIELDS OF MARINE ENGINEERING AND CONSTRUCTION.**



#### EXPLANATION OF POLICY

The northernmost stretch of shoreline along the easterly side of outer Morristown Bay is exposed to wind driven wave action and ice movement. (Ref.: Sect. II, Part 1, C. Analysis, 5.) These forces cannot be ignored when shoreline structures are to be installed.

Proper design, construction and maintenance of shoreline structures will prolong their utility and benefits when resistance to wave and ice action is included as a design parameter. This policy will thus assist in slowing the rate of deterioration of shoreline structures and in avoiding disruptions or losses of public access to the St. Lawrence River by increasing the durability of such structures. Government agencies must consider the risk that wave and ice action impose on either public or private capital investment in shoreline structures, especially where water depth, current or other limiting site conditions require more costly design, construction and maintenance practices.

**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

Flooding: Flooding is a process which occurs naturally. However, by his actions, man can increase the severity and adverse effects of this process, causing damage to, or loss of property, and endangering human lives. Those actions include the placing of structures in identified floodways so that the base flood level is increased causing damage in otherwise hazard-free areas.

Erosion: Not Applicable. (See Policy 11 - "Shoreline Erosion.")

**POLICY 15            THE STATE COASTAL POLICY REGARDING MINING,  
EXCAVATION OR DREDGING IN COASTAL WATERS IS NOT  
APPLICABLE TO MORRISTOWN.**

- 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.
- POLICY 16A** PUBLIC FUNDS SHALL NOT BE USED FOR SHORELINE STRUCTURES SUBJECT TO SEVERE WAVE ACTION AND ICE MOVEMENT EXCEPT WHERE THE PUBLIC BENEFITS THAT WOULD ACCRUE TO THE TOWN OR VILLAGE IN TERMS OF IMPROVING PUBLIC ACCESS AND RECREATION, ENHANCING TOURISM OR SITING WATER-DEPENDENT USES OUTWEIGH THE LONG TERM COSTS OF SUCH STRUCTURES.
- POLICY 16B** PUBLIC FUNDS SHALL BE USED FOR WAVE AND ICE PROTECTIVE STRUCTURES ONLY WHERE DEEMED NECESSARY FOR PUBLIC SAFETY OR, IF PUBLIC BENEFITS OUTWEIGH LONG TERM COSTS, FOR THE PROTECTION OF SHORELINE STRUCTURES UPON WHICH EXISTING OR PROPOSED WATER-DEPENDENT USES MUST RELY.

#### EXPLANATION OF POLICY

Wind driven wave action and ice movement represent destructive forces which cause considerable short- and long-term damages to shoreline structures. Town and Village investment in shoreline structures exposed to these forces is generally unwise unless sufficient capital is expended to ensure such structures have sufficient strength and durability. Measures to diminish the severity of wave action or ice movement may be needed to protect life, limb or property. However, Town and Village investment in measures to protect properties must, as in the construction of shoreline structures in more exposed areas, weigh the economic benefits accruing to these communities and their waterfront areas against public costs.

**POLICY 17**            **WHENEVER POSSIBLE, USE NONSTRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE:**

**(i) THE SET BACK OF BUILDINGS AND STRUCTURES:**

**(ii) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FENCING AND DRAINING:**

**(iii) THE RESHAPING OF BLUFFS: AND**

**(iv) THE FLOOD PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.**

**POLICY 17A**        **WHEREVER POSSIBLE, USE NONSTRUCTURAL MEASURES TO MINIMIZE DAMAGE TO SHORELINE STRUCTURES FROM WAVE ACTION AND ICE MOVEMENT.**

**EXPLANATION OF POLICY**

**Flooding:** This policy recognizes both the potential adverse impacts of flooding and erosion upon development in the coastal area, as well as the costs of protection against those hazards which structural measures entail.

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.

"Nonstructural measures" within identified flood hazard areas shall include, but not be limited to: (a) the avoidance of risk or damage from flooding by the setting back of buildings and (b) their elevation above the base flood level.

**Erosion:** Not applicable (See Policy 11 - "Shoreline Erosion.")

**Wave action and ice movement:** Nonstructural measures to minimize damage from wave action and ice movement primarily involve facilitating the location of water-dependent uses which rely on shoreline structures in areas of the waterfront less exposed to such forces (see Policy 2).

## **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 COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

**POLICY 18A** TO ENHANCE AND PROTECT THE LOCAL TOURIST ECONOMY, CULTURAL RESOURCES AND COASTAL ENVIRONMENTS OF THE TOWN AND VILLAGE, PROPOSED MAJOR ACTIONS IN THE LOCAL WATERFRONT AREA MUST GIVE FULL CONSIDERATION TO THE AREA'S VALUABLE COASTAL RESOURCE AREAS AND THE LOCAL SAFEGUARDS ESTABLISHED TO PROTECT SUCH RESOURCES.

## **EXPLANATION OF POLICY**

Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the achievement of the purposes of the safeguards which the State and the Town and Village have established to protect those waters and resources. Proposed actions must take into account the social, economic, and environmental interests of the State, the Town and Village and their citizens in such matters that could affect natural resources, water levels and flows, shoreline damage, and recreation. Furthermore, proposed actions within the local waterfront area must recognize the importance of tourism to the village's economy and the roles that local cultural resources, public access and recreation facilities, water-dependent uses, and the natural coastal environment play in sustaining healthy tourism. Local safeguards augment those of the State in protecting valuable coastal resources.

## **PUBLIC ACCESS POLICIES**

**POLICY 19** PROTECT, MAINTAIN AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

- POLICY 19A**      **INCREASE, MAINTAIN AND PROTECT PUBLIC ACCESS TO OUTER MORRISTOWN BAY BY IMPROVING AND SAFEGUARDING VEHICULAR, PEDESTRIAN AND WATERBORNE MEANS OF ACCESS TO RECREATIONAL FACILITIES ALONG THE BAY'S EASTERN SHORE.**
- POLICY 19B**      **MAINTAIN, PROTECT, AND, IF WARRANTED BY INCREASED DEMAND, EXPAND PUBLIC ACCESS TO THE RIVER VIA JACQUES CARTIER STATE PARK WITH PARTICULAR EMPHASIS ON ACCESS FOR BOATING, SWIMMING AND CAMPING.**
- POLICY 19C**      **IF WARRANTED BY INCREASED DEMAND, DEVELOP, MAINTAIN AND PROTECT ADDITIONAL PUBLIC ACCESS FOR FISHING AND/OR BOATING ACTIVITIES AT OTHER APPROPRIATE LOCATIONS ALONG THE RIVER AND BAY SHORELINES IN THE TOWN AND VILLAGE.**

#### 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. Because the imbalance among these factors is often due to access-related problems, priority will be given to improving physical access to existing and potential coastal recreation sites. This program will encourage mixed use areas and multiple use of facilities to improve access.

Priority for improved public access in the local waterfront area will be given to outer Morristown Bay and Jacques Cartier State Park where demand has increased considerably in recent years (Ref: Sect. II, Part 2, B. Analysis, a1 to a3). In both areas, emphasis will be placed on improvements which provide for adequate parking, additional boat launching and docking capacity, and improved pedestrian safety.

Three additional sites have been identified as having public access potential: Wright's Marina, the southeast corner of inner Morristown Bay, and the northernmost end of English Settlement Road (Ref: Sect. II, Part 2, B. Analysis and Plate 8a). The feasibility of these sites must be carefully evaluated in terms of compatibility with adjoining uses, constraints imposed by specific site conditions, level of access warranted by demand, costs of "fee simple" acquisition, easements or leases and costs of access improvements.

Measures taken to increase public access should enhance or, at a minimum, be consistent with local efforts to revitalize deteriorated and/or underutilized area, facilitate water-dependent uses, develop the small harbor potential of outer Morristown Bay and increase recreational use of the



river and bay and their fish and wildlife resources. (See Policies 1, 1A-1D, 2, 2A and 2B, 4, and 9.)

All government agencies must give consideration to the existing and potential public access sites in the Town and Village when considering proposed development actions. They should, to the extent permitted by other coastal policies, encourage new or improved vehicular, pedestrian and waterborne access to the water while ensuring that their actions do not jeopardize present levels of access.

#### Policy Guidelines

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.
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, Town, and Village will not undertake or fund any project which increases access to a public water-related recreation 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 recreation resources and facilities, government 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.

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 coastal lands, waters and/or water-related recreation resources or facilities.
- b. Public water-related recreation resources or facilities - all public lands or facilities that are suitable for passive or active recreation that require either water or a waterfront location or are 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. 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.
  3. Pedestrian access is diminished or blocked completely by public or private development.
- e. An elimination of the possibility of increasing public access in the future includes, but is not limited to the following:
  1. Construction/modification of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities or to public coastal lands or waters.
  2. Sale, lease, or other conveyance of public property that could provide public access to a public water-related recreation resource or facility or to public coastal lands and/or waters, except where such sale, lease or other conveyance entails offsetting gains in public access.
  3. Construction of private facilities which physically prevent the provision of convenient public access to a public water-related recreation resource or facility or to public coastal lands and/or waters from public lands 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 SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.**

**POLICY 20A IF FEASIBLE, DEVELOP, MAINTAIN AND PROTECT MEANS OF IMPROVED PEDESTRIAN AND BICYCLING MOVEMENT ALONG THE RIVER ROAD RIGHT-OF-WAY BETWEEN JACQUES CARTIER STATE PARK AND MORRISTOWN BAY.**

**POLICY 20B IF FEASIBLE, ACQUIRE ABANDONED RAILROAD RIGHT-OF-WAY WHERE SUCH LAND WOULD ENHANCE EXISTING PUBLIC ACCESS OR SUPPORT THE DEVELOPMENT OF POTENTIAL PUBLIC ACCESS SITES.**

#### EXPLANATION OF POLICY

The local waterfront area has limited area for public water-based recreational activity outside of Jacques Cartier State Park and the Village Park along the east side of outer Morristown Bay. Although additional sites have potential for public access to the water (Ref: Sect. II, Part 2,B. Analysis), their feasibility is uncertain and subject to further study.

Access can be enhanced, however, by improving the River Road pavement shoulder for pedestrian and bicycle use and by acquiring abandoned railroad right-of-way along the river north of Chapman Street and near the southeast corner of Morristown Bay. The pedestrian/bicycling path will increase the modes of travel between water-based access in the State Park and Morristown Bay. It will also allow its uses to enjoy the vistas of the river (viewed between the shoreline cottages) which are more difficult for motorists to view. The Village and Town acquired railroad right-of-way near the river and constructed Riverview Drive to facilitate access between Morristown Bay and shoreline cottage areas to the east. The Village also acquired railroad right-of-way from Main Street to the southeast corner of the inner bay. This recently acquired right-of-way offers the potential for future public access to an area otherwise inaccessible except by water.

When taking action on development proposals, all government agencies must give due consideration to Town and Village efforts to acquire and/or improve road or abandoned railroad right-of-way for public access purposes. Government agencies must also consider the compatibility of public access use with residential uses along the river and bay. Wetlands and fish and wildlife habitat around the southern end of the bay must also be taken into account.

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 coastal resources.

#### Policy Guidelines

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

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced or eliminated, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding local, 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.
2. The existing level public access within public coastal lands or waters shall not be reduced or eliminated.
3. Public access from the nearest public roadway to the shoreline and along the coast 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 coastal resources; or (b) adequate access exists within one-half mile. 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 accessway.
4. Government agencies 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.
5. In their plans and programs for increasing public access to public coastal lands, government 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.
6. Proposals for increased public access to coastal 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 resource. If this were determined to be the



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

The explanation of terms provided under Policy 19 shall apply to the above guidelines.

### **RECREATION POLICIES**

**POLICY 21 WATER-DEPENDENT AND WATER-ENHANCED RECREATION SHALL BE ENCOURAGED AND FACILITATED AND SHALL BE GIVEN PRIORITY OVER NONWATER RELATED USES ALONG THE COAST, PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.**

**POLICY 21A RECREATIONAL BOATING, FISHING, SWIMMING, CAMPING, HIKING, WATERFOWL HUNTING, TRAPPING, BIRD WATCHING AND WATERSIDE RELAXATION SHALL BE GIVEN PRIORITY WITHIN THE LOCAL WATERFRONT AREA AND, TO THE EXTENT COMMENSURATE WITH EXISTING AND PROPOSED RECREATION RESOURCES, SUCH ACTIVITIES SHALL BE FACILITATED IN THE VICINITY OF MORRISTOWN BAY AND JACQUES CARTIER STATE PARK.**

### **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 coastal location and increase the general public's access to the coast such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of coastal scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, and historic and cultural resources (e.g., see Policies 7, 8, 9, and 23-25) and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-coastal dependent uses, including nonwater-related recreation uses. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses. Determining a priority among coastal dependent uses will require a case-by-case analysis.



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 coastal resources and with their capacity to accommodate demand, but such public actions should avoid competing with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pumpout facilities.

Faced with increased demand for recreation activity in the local waterfront area (Ref: Sect.II, Part 2, B. Analysis, 1 and 2), the Town and Village must encourage and actively assist the development of both public and private recreational facilities. While numerous forms of water-dependent recreation are possible, boating, fishing, swimming, camping and sight-seeing are the most prevalent and the most likely to face substantial increases in demand. Much of the demand for these forms of recreation can be met by expanding and/or improving existing facilities in outer Morristown Bay and at Jacques Cartier State Park. However, future demand will undoubtedly necessitate the acquisition of additional public access (see Policies 19, 19A-19C, 20, 20A and 20B). Such lands should be given priority for the development of recreational facilities in a manner consistent with other applicable coastal policies.

Nonmotorized recreation such as cross-country skiing, hiking and canoeing shall also be encouraged in the local waterfront area. 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. Presently, cross-country skiing and snowmobiling are permitted in the State Park. Canoeing is possible in inner Morristown Bay and Chippewa Creek Marsh.

**POLICY 22    DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, SHALL PROVIDE FOR WATER RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.**

**POLICY 22A    PUBLIC ACCESS AS A MULTIPLE USE WILL BE REQUIRED AROUND MORRISTOWN BAY WHENEVER SUCH MULTIPLE USE IS COMPATIBLE WITH THE NATURE AND PURPOSES OF SHORELINE DEVELOPMENT OR REDEVELOPMENT THERE AND WARRANTED BY REASONABLY ANTICIPATED DEMAND.**

## 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:

- highways
- utility transmission rights-of-way
- sewage treatment facilities
- mental health facilities\*
- hospitals\*
- prisons\*
- schools, universities\*
- military facilities\*
- nature preserves\*
- large residential subdivisions (50 units)
- 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, government agencies should consult with the State Office of Parks, Recreation, and Historic Preservation, and the Town and Village of Morristown to determine appropriate recreation uses. The agency should provide OPRHP and the Town and Village with the opportunity to participate in project planning.

Appropriate recreation 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 recreational facilities.

The current proposal to expand Wright's Marina at the mouth of the bay has included public access as a multiple use. Municipal approvals of this proposal and other private developments can, with provisions for public access, further strengthen the small harbor role of Morristown Bay, increase the recreational use of the river and bay resources, and expand waterfront tourism in general (see Policies 4, 4A, 18A, 21 and 21A).

**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.**

**POLICY 23A ENCOURAGE PRIVATE RESTORATION, REHABILITATION AND PRESERVATION OF HISTORIC STRUCTURES HAVING ONLY LOCAL SIGNIFICANCE.**

**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.

Policy 23 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 coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship.

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:

1. 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; entryways 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.)
2. 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 1, above plus any other appurtenant fixture associated with a building structure or earthwork.

3. 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 judgement about compatibility should focus on the visual and locational 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.

Policy 23 shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, 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 23 applies to the seven structures in the local waterfront area that have been recognized as highly significant by reason of their placement on State and National registers of Historic Places (Ref: Sect. II, Part 2, C. Analysis, and Plate 8a). Such historic resources will warrant the maximum protection which can be practically afforded in implementing this policy. All government agencies should avoid, to the maximum extent practicable, undertaking direct actions which would jeopardize these historic resources.

Policy 23A applies to the numerous remaining historic structures and/or sites described in Section II as having only local significance (Ref: Sect. II, Part 2, C. Inventory and Analysis, and Plates 8a and 8b). Collectively, these other historic resources warrant attention from the two communities. Such resources embody much of the local cultural heritage and contribute importantly to present day community character. Public education and local recognition should encourage private owners to restore, rehabilitate and preserve these locally significant structures and/or sites, preferably along the guidelines set forth above for highly significant historic resources.

## **SCENIC RESOURCES POLICIES**

**POLICY 24            THE STATE COASTAL POLICY REGARDING THE PROTECTION OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE IS NOT APPLICABLE TO MORRISTOWN.**



- 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 COASTAL AREA.**
- POLICY 25A**     **IMPROVE, ENHANCE AND PROTECT THE AESTHETIC CHARACTER OF THE VILLAGE'S BUILT ENVIRONMENT WITH PARTICULAR ATTENTION TO THE IMAGE OF THE SMALL HARBOR AREA AND THE COMMERCIAL SECTION OF MAIN STREET.**

#### EXPLANATION OF POLICY

Policy 25 applies to the scenic resources of local significance: scenic highway corridors along NY Route 12 and, in the Village, along NY Route 37; vistas along the shoreline of Jacques Cartier State Park; views of the St. Lawrence River and outer Morristown Bay from Chapman Park, from the intersection of Main and Morris Streets and from Bayside Park; and the image of the village's older waterfront areas. The Village and Town recognize the considerable value these locally significant resources have for tourism, general coastal character, and quality of life. (Ref.: Sect. II, Part 1, F. Analysis and Plates 5a and 5b.)

When considering a proposed action, all government agencies shall insure that the action will be undertaken so as to protect, restore or enhance the overall scenic quality of the coastal area. Activity which could impair or further degrade scenic quality is defined as follows: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the 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 material will diminish the scenic quality of an identified resource.

Policy 25A applies specifically to the older, developed areas of the Village's waterfront with emphasis on the small harbor area of outer Morristown Bay and the commercial section of Main Street. From the perspective of visual quality, the vacant or underutilized properties, deteriorated structures, and streetscapes in need of attention along the eastern side of the outer bay and in adjoining Main Street commercial area have detrimental effects on the village's coastal image. (Ref.: Sect. II, Part 2, A. Analysis, 1.) The isolated character of the bayside and riverside uses and the orientation of Main Street business away from the water compound the image problems. (Ref.: Sect. II, Part 1, F. Analysis.)

When considering a proposed action in these areas, all government agencies shall recognize the importance of improving and protecting visual quality as an integral part of revitalizing the waterfront, improving the small harbor's role, and strengthening the local economy.



### Policy Guidelines

The following general 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. General guidelines include:

1. 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;
2. Clustering or orienting structures to retain views, save open space and provide visual organization to a development;
3. Incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
4. Removing deteriorated and/or degrading elements;
5. Maintaining or restoring the original landform, except when changes screen unattractive elements and/or add appropriate interest;
6. 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 enhances views of coastal waters;
7. Using appropriate materials, in addition to vegetation, to screen unattractive elements;
8. Using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

When an action is proposed to be undertaken along the eastern side of outer Morristown Bay or in the commercial section of Main Street, the following additional guidelines shall be used to achieve Policy 25A:

1. Open views from Main Street to the bay and/or river should be protected, enhanced and, where possible, increased especially where such views can be associated with public access, historic tours and development or redevelopment which increases the orientation of Main Street toward the shoreline.
2. Whenever physically possible, pedestrian walkways, stairs, interpretive displays, boutiques, small novelty or speciality shops, outdoor restaurant or cafe decks and similar water-enhanced features should be encouraged along and to the waterward side of Main Street commercial establishments. The development of such facilities should be supported through cooperative public/private efforts in renovating both

front and rear building facades, providing adequate parking, ensuring the availability of sanitary and storm sewers and water mains, and promoting tourism in general.

3. While encouraging revitalization with better linkages between the bay or river and Main Street, attention must be given to protecting historic structures and existing features of non-historic structures which contribute to the small bayside Village's image, i.e., density, scale, form, texture, landscaping and setback.

### **AGRICULTURAL LANDS POLICY**

**POLICY 26**      **TO CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE'S COASTAL AREA, AN ACTION SHALL NOT RESULT IN A LOSS NOR IMPAIR THE PRODUCTIVITY OF IMPORTANT AGRICULTURAL LANDS, AS IDENTIFIED ON THE COASTAL AREA MAP, IF THAT LOSS OR IMPAIRMENT WOULD ADVERSELY AFFECT THE VIABILITY OF AGRICULTURE IN AN AGRICULTURAL DISTRICT OR, IF THERE IS NO AGRICULTURAL DISTRICT, IN THE AREA SURROUNDING SUCH LANDS.**

### **EXPLANATION OF POLICY**

The primary concern of this policy is with the loss of important agricultural land (FN 1) 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 on the Coastal Inventory. 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 on the viability of agriculture in the surrounding area, then the action may also be consistent with the agriculture 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 agricultural policy.

Although the local waterfront area contains relatively small, scattered pockets of prime farmland, it encompasses a considerable amount of land lying within an agricultural district (Ref: Sect. II, Part 1, C. Inventory, 3 and Plates 2a and 2b). Active farming occurs in only a few of the larger pockets of prime farmland: along Atwood Road, in the southeast part of the Village, along and northwest of Scotch Bush Road, and north of Chippewa Creek (Ref: Sect. II, Part 1, C. Analysis and Plates 3a and 3b). The last of these four areas is the most viable due to its size and location

away from shoreline development. Farming within the Village is considered marginal, and the Atwood Road and Scotch Bush Road areas are quite small.

Since most of the extensively farmed areas with prime farmland soils are located to the south of the local waterfront area, the agricultural district status south of NY Routes 12 and 37 serves to buffer more viable areas of farming from coastal development. All government agencies must consider the agricultural district as a limiting factor for proposed public actions, especially where active agricultural uses continue in association with prime farmland.

#### Policy Guidelines

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 farm (FN2) 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 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 availability, 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. These criteria are explained below.
    - 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 inter-dependent. At a minimum, this area should consist of at least 500 acres of identified important agricultural 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 coastal boundary. 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:

1. soil resources, topography, conditions of climate and water resources;
  2. availability of agribusiness and other support services, and the level and condition of investments in farm, real estate, livestock and equipment;
  3. 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;
  4. use of new technology and the rates at which new technology is adopted;
  5. competition from substitute products and other farming regions and trends in total demand for given products;
  6. 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:
1. the history of farming in the area;
  2. the length of time farms have remained in one family;
  3. the degree to which farmers in the area share a cultural or ethnic heritage;
  4. the extent to which products are sold and consumed locally;
  5. 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:
1. the extent to which the affected agriculture as currently practiced provides a habitat or food for wildlife;
  2. the extent to which a farm landscape adds to the visual quality of an area;
  3. any regional or local open space plans, and degree to which the open space contributes to air quality;
  4. 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 orchards or vineyards
  - c. other prime farmland in active farming
  - d. farmland of statewide importance in active farming
  - e. active farmland identified as having high economic viability
  - f. prime farmland not being farmed
  - g. 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 farms. Agricultural use of such land shall have priority over any other proposed multiple use of the land.

#### **ENERGY AND ICE MANAGEMENT POLICIES**

**POLICY 27      DECISIONS ON THE SITING AND CONSTRUCTION OF MAJOR ENERGY FACILITIES IN THE COASTAL AREA WILL BE BASED ON PUBLIC ENERGY NEED, COMPATIBILITY OF SUCH FACILITIES WITH THE ENVIRONMENT, AND THE FACILITY'S NEED FOR A SHOREFRONT LOCATION.**

#### **EXPLANATION OF POLICY**

Demand for energy in New York will increase, although at a rate slower than previously predicted. The State expects to meet these energy demands through a combination of conservation measures; traditional and alternative technologies; and use of various fuels, including coal, in greater proportion.

A determination of public need for energy is the first step in the process for siting any new facilities. The directives for determining this need are set forth in the New York State Energy Law. With respect to transmission lines and steam electric generating facilities, Articles VII and VIII 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 a shorefront location. 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 Act. That Act is used for the purposes of ensuring consistency with the State Coastal Management Program and this Local Waterfront Revitalization Program.

In consultation with the Town and Village of Morristown, the Department of State will comment on State Energy Office policies and planning reports as may exist; present testimony for the record during relevant certification proceedings under Articles VII and VIII of the PSL; and use the State SEQR and DOS regulations to ensure that decisions on other proposed energy facilities (other than transmission facilities and steam electric generating plants) which would impact the waterfront area are made consistent with the policies and purposes of the Local Waterfront Revitalization Program.

**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 hydroelectric power, fish and wildlife and their habitats as will be identified in the 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.

Ice management is deemed herein to include the operation of ice breakers and winter navigation proposals for the St. Lawrence River.

**POLICY 29            THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF ENERGY RESOURCES ON THE OUTER CONTINENTAL SHELF IS NOT APPLICABLE TO MORRISTOWN.**

**WATER AND AIR RESOURCES POLICIES**

**POLICY 30            MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS 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 coastal waters and those which pass through municipal treatment systems before reaching the State's waterways.

The widespread dependence on septic systems in the Town requires careful on-going review of new installations. The extent of shallow soils overlying bedrock is a serious constraint to such installations (Ref: Sect. II, Part 1, A. Analysis, 1, and C. Analysis, 1 and 2.)

**POLICY 31        STATE COASTAL AREA POLICIES AND MANAGEMENT OBJECTIVES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER 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

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 coastal management policies shall be factored into the review process for coastal waters. However, such considerations 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. The Town and Village have reviewed the classification of waters within the local waterfront area and find them to be generally consistent with the existing and proposed land and water uses put forth in this program. However, with swimming as a traditional recreation activity in outer Morristown Bay (off the Village Park), it is felt that a "B" classification would be more appropriate there. The newly constructed sanitary sewers and

sewage treatment facilities in the village should eliminate direct discharges of sewage into the bay, making this better water quality classification more tenable.

**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 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 areas and for which conventional facilities are too expensive.

The Village of Morristown has studied both a conventional gravity sewer system and a vacuum system. Given the depth to bedrock and the small population to be served by sewers, the gravity system has been determined unfeasible due to the prohibitive costs of extensive blasting. The vacuum system, on the other hand, was determined to be feasible. The Village recently completed its construction.

On-site disposal systems elsewhere in the Village or in all areas of the Town will be required to adhere to the NYS Department of Health standards. Because of widespread soil conditions poorly suited to conventional septic systems, many areas will require substantially larger lots to accommodate on-site disposal or alternative and innovative systems. The latter will be encouraged (Ref: Section II, Part 1, A. Analysis, a and C. Analysis, b).

**POLICY 33            BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE  
THE CONTROL OF STORMWATER RUNOFF AND COMBINED  
SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.**

**EXPLANATION OF POLICY**

Best management practices include both structural and nonstructural 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, nonstructural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.



The Village's storm sewers were known to be carrying direct discharges of untreated sewage or poorly treated sewage into Morristown Bay (see Policies 30 through 32). However, the Village has recently completed construction of a sanitary sewer and sewage treatment facility that will eliminate this source of water pollution.

**POLICY 34        DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS 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**

The discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated. Priority will be given to the enforcement of this law in areas such as significant fish and wildlife habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the NYS Department of Environmental Conservation (6 NYCRR, Part 657).

Pump-out facilities for marine holding tanks shall be required at all new marina facilities within the Village and Town waterfront areas, unless a determination has been made that (1) adequate pump-out facilities already exist within a reasonable distance of the new or expanded marina and (2) use of such pump-out facilities is open to the public.

**POLICY 35        DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS 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 often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted by DEC if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging 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 of coastal resources (State Coastal Management Policies 7, 15, 24, 26 and 44).



In view of siltation problems in Morristown Bay, dredging may be necessary for effective development of the bay's small harbor function and appropriate siting of water-dependent uses (Ref: Sect. II, Part 1, A. Inventory, 2, and Analysis, 2; E. Analysis, 4; and Part 2, A. Analysis, 3). Harbor development and facilitation of water-dependent uses will be critical aspects of revitalization efforts in the bayside areas of the Village (Ref: pp. 29 and 30). Development along the western side of inner Morristown Bay may depend on or induce dredging permit applications to maintain navigability in that area of the bay (Ref: Plate 7). The review of such applications should consider achieving a balance between protective measures for the inner bay's water quality and role as a locally important fish and wildlife habitat and developmental measures providing for revitalization, small harbor development and the siting of water-dependent uses (including public access and recreation activities in the southeast corner of the bay). (See Policies 1, 1A-1C, 2 2A and 2B, 4, 7A, 8, 9, 19, 19A, 19C, 20B, 21, 21A 22, 22A, 30 and 31.)

Dredging proposals for marina expansion along the eastern side of the bay's mouth are more likely to involve blasting and rock removal than disturbance of deep silt beds (Ref: Sect. II, Part 1, A. Analysis, e).

**POLICY 36            ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIAL WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS; 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

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (s27-0901.3) 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, disposed or otherwise managed." 6 NYCRR Part 371 lists hazardous wastes.

Because of its location along the St. Lawrence Seaway, the area has been subjected to petroleum and other hazardous wastes spills in the past, the Town and Village realize the impact that such spills can have, both ecologically and economically, on the waterfront area. (Ref: Sect. II, Part 1, A. Analysis e). The Town and Village encourage the maximum practicable measures that will prevent or at least minimize spills and discharges of such wastes into its coastal waters.

**POLICY 37        BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO  
MINIMIZE THE NON-POINT DISCHARGE OF EXCESS  
NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL  
WATERS.**

**EXPLANATION OF POLICY**

Excess nutrients and organics can, and in many cases do, enter surface waters as a result of uncontrolled surface runoff, leaching, development activities and poor agricultural practices. Best management practices to be used to reduce these sources of pollution include, but are not limited to, encouraging organic farming, pest management practices, phased development, surface runoff retention basins, placement of vegetation, erosion control practices and other surface drainage control techniques. Through the use of land use regulations and site plan review provisions, the Town and Village will use best management practices to reduce such non-point pollution sources.

Silt from eroding inland soils is a particular concern with respect to Morristown Bay and the stagnation and eutrophication occurring there (Ref: Sect. II, Part 1, A. Analysis, b) Government agency reviews of future development in areas which drain to the bay should address these and other potential sources of non-point pollution which would impact the bay's water quality.

**Policy Guidelines**

Guidelines regulating development or construction to be used in implementing this policy include the following:

1.    Runoff or other non-point pollutant sources from any specific development must not be greater than would be the case under natural conditions. Appropriate techniques to minimize such efforts shall include, but not be limited to, the use of stormwater detention basins, rooftop runoff disposal, rooftop detention, parking lot storage and cistern storage.
2.    The construction site, or facilities, should fit the land, particularly with regard to its limitations.
3.    Natural ground contours should be followed as closely as possible and grading minimized.
4.    Areas of steep slopes, where high cuts and fill may be required, should be avoided.
5.    Extreme care should be exercised to locate artificial drainageways so that their final gradient and resultant discharge velocity will not create additional erosion problems.
6.    Natural protective vegetation should remain undisturbed if at all possible; otherwise plantings should compensate for the disturbance.

7. The amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water should be limited.
8. The velocity of the runoff water on all areas subject to erosion should be reduced below that necessary to erode the materials.
9. A ground cover should be applied sufficient to restrain erosion on that portion of the disturbed area undergoing no further active disturbances.
10. Runoff from a site should be collected and detained in sediment basins to trap pollutants which would otherwise be transported from the site.
11. Provision should be made for permanent protection of downstream banks and channels from the erosive effects of increased velocity and volume and runoff resulting from facilities constructed.
12. The angle for graded slopes and fills should be limited to an angle no greater than that which can be retained by vegetative cover or other erosion control devices or structures.
13. The length as well as the angle of graded slopes should be minimized to reduce the erosive velocity of runoff water.
14. Rather than merely minimize damage, take the opportunity to improve site conditions wherever practicable.

**POLICY 38      THE QUALITY AND QUANTITY OF SURFACE WATER AND GROUNDWATER SUPPLIES WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATER CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.**

**EXPLANATION OF POLICY**

The St. Lawrence River is the principal source of water supply for the Village of Morristown (Ref: Sect. II, Part 1, A. Analysis, c and Part 2, A. Inventory, d). As such, its protection from pollutants is vital, especially immediately upstream of the intake off Chapman Point. Groundwater, on the other hand, is the sole source of potable water for the Town (Ref: Sect. II, Part 1, A. Analysis, d). Given the characteristics of bedrock, surficial deposits and soils in the local waterfront area, careful review of septic system installations will be necessary to ensure that contaminants do not reach into the limestone fractures or deep gravel beds that are tapped for well water (Ref: Sect. II, Part 1, A. Inventory, d). Also, major water users or heavily concentrated development activity must also be guided to locations which would not deplete the quantity of groundwater available to existing users (Ref: Sect. II, Part 1, A. Analysis, d).

**POLICY 39            THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS 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 LANDS AND SCENIC RESOURCES.**

**EXPLANATION OF POLICY**

Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris, and industrial and commercial waste. 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 littoral areas, atmospheric loading, and degradation of scenic resources.

Solid wastes do not pose a measurable threat to water quality in the local waterfront area. In the Village, municipal refuse collection is provided. Refuse is hauled to a transfer site and taken to a landfill outside the coastal area by private contractor. In the Town, the individual land owners take their refuse directly to the transfer site.

Refer to Policy 36 for explanation of hazardous wastes.

**POLICY 40            EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.**

**EXPLANATION OF POLICY**

There are no major steam electric generating or industrial facilities located within the Town and Village waterfront areas and no such facilities are anticipated. In the event that such facilities are proposed within the waterfront area, review of such projects shall ensure that the facility will "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 effects of thermal discharges on water quality and aquatic organisms will be considered when evaluating an applicant's request to construct a new steam electric generating facility.

**POLICY 41            LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.**

### EXPLANATION OF POLICY

The Town and Village Local Waterfront Revitalization 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 area.

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

**POLICY 42            COASTAL MANAGEMENT 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 CMP and the LWRP 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 the prevention of significant deterioration land classification in coastal regions or adjacent areas.

**POLICY 43            LAND USE OR DEVELOPMENT IN THE COASTAL AREA MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF THE ACID RAIN PRECURSORS: NITRATES AND SULFATES.**

The Town and Village Local Waterfront Revitalization Program incorporates the State's policies on acid rain. As such, the local program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

**POLICY 44            PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.**

### EXPLANATION OF POLICY

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the NYS Protection of Waters Act.



In the local waterfront area, the wetlands addressed by this policy are generally scattered and relatively small, with the exception of the Chippewa Creek Marsh. The wetlands specifically addressed by this policy are described in Section II, Part 1, D. Analysis d and identified on Plates 5a and 5b. All of these wetlands embody recreational, aesthetic, and/or ecological benefits. Specifically, 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; and
- aesthetic open space in many otherwise densely developed areas.

**SECTION IV**  
**PROPOSED USES AND PROJECTS**

## **SECTION IV - PROPOSED USES AND PROJECTS**

Local officials in the Town and Village of Morristown intend to promote development in a manner which will protect and enhance the resource base rather than deplete or degrade it. Through their planning and resource management efforts the two communities seek to foster environmentally sound development as an integral part of waterfront revitalization. The planning of future land uses and revitalization projects is the focus of this section.

### **A. PROPOSED LAND USES**

Proposed land uses for the waterfront are classified under eight categories: Public and Semi-public, Village Center Commercial, Water-related Commercial, Highway-related Commercial, Urban Density Residential, Moderate Density Residential, Open Space Density Residential and Agricultural. The location and distribution of proposed land uses are described in detail below under the headings of Village, East Town and West Town.

#### **1. Village (See Plate 11a)**

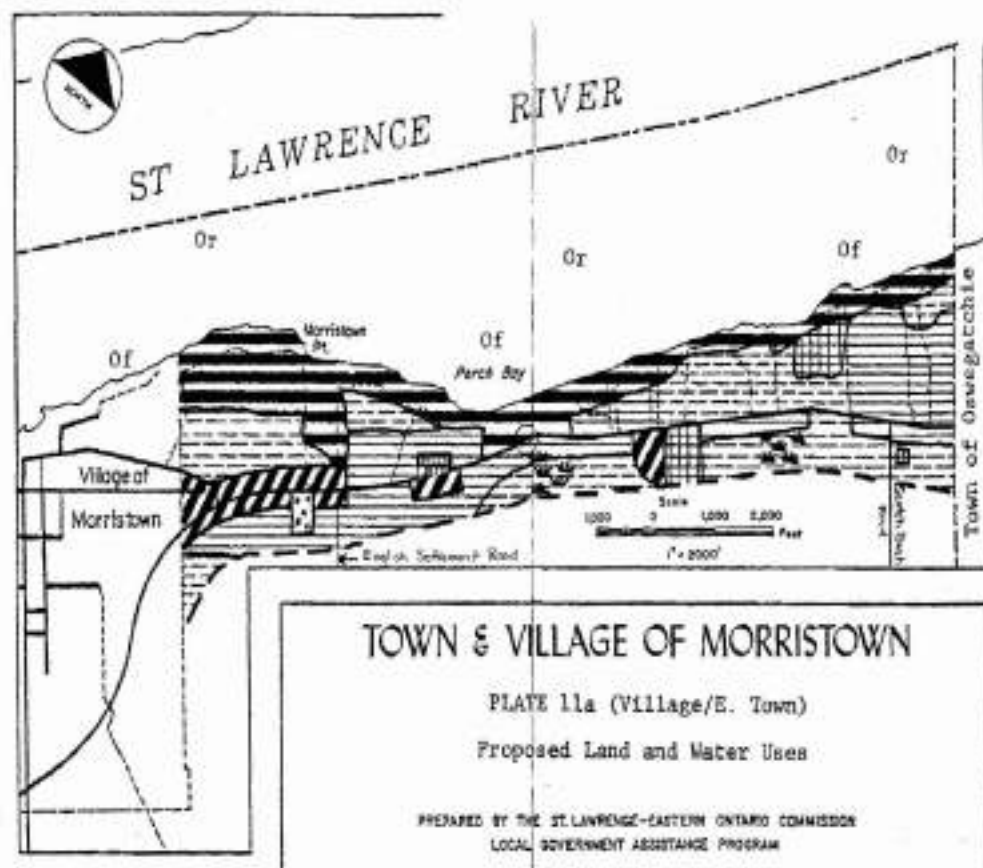
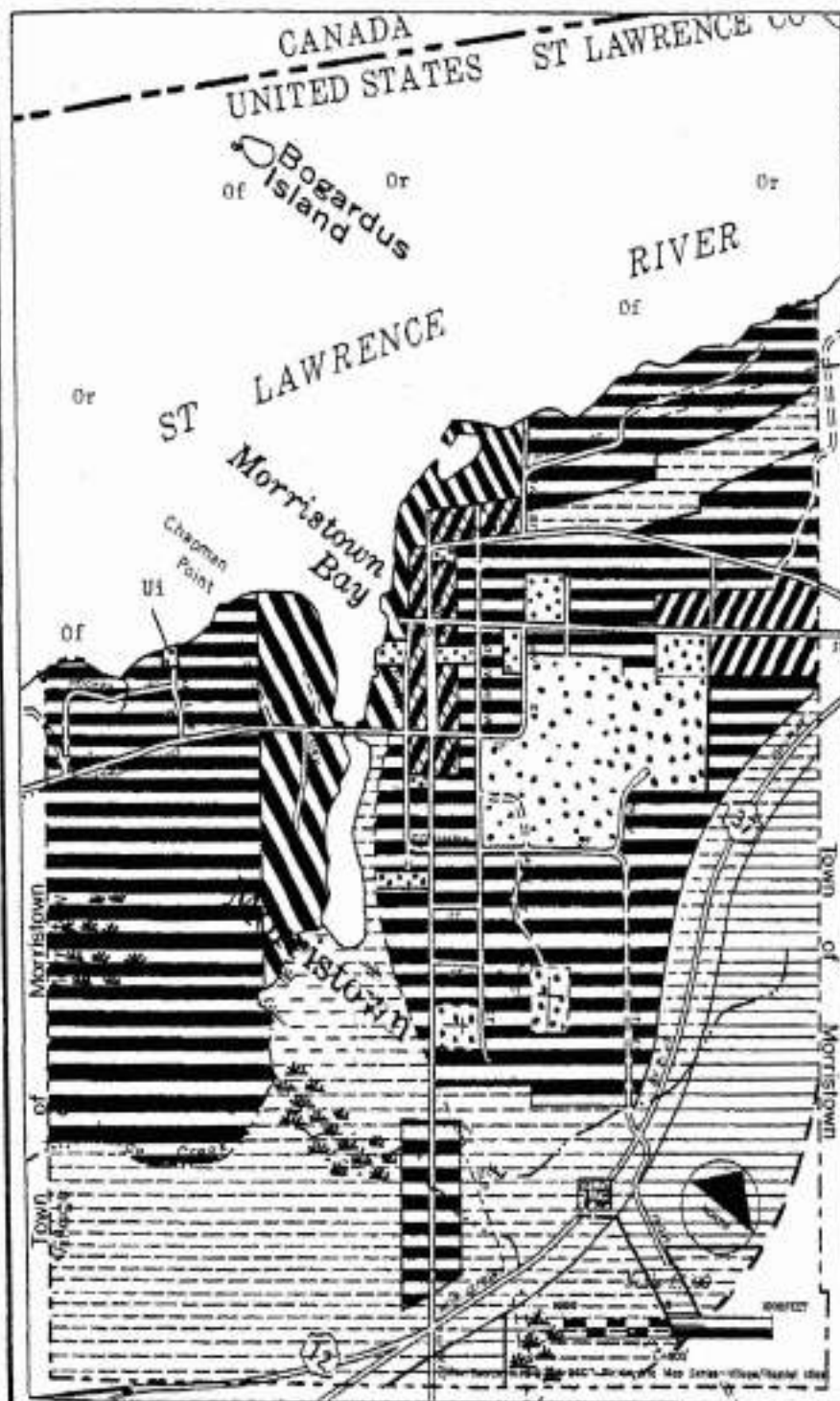
- a. Public and semi-public - Proposed public and semi-public uses consist of those identified as existing on Plate 9a plus expansion of the Village's shoreline park to include land for additional parking and construction of a wastewater treatment facility to the south of the fire hall on Morris Street.
- b. Village center commercial - This land use category is proposed to expand and occupy both sides of Main Street from just south of Northumberland Street to Chapman Street and the north side of Chapman Street from Main Street to Ann Street. Specific uses envisioned here would be local convenience and tourist oriented with more emphasis on the pedestrian.
- c. Highway-related commercial - This category is proposed along both the northern and southern sides of Morris Street toward its easterly end. Commercial uses in this area would relate more to automobile sales, repairs and maintenance; motor lodges; and other uses catering to travellers along the Seaway Trail.
- d. Water-related commercial - Water-related commercial uses including marinas, resorts, boat sales, boat rentals, boat repair and storage, and the sale of marine supplies, bait and tackle, are proposed for the entire western side of Morristown Bay and the eastern side northerly from the Northumberland Street bridge to Ann Street.
- e. Urban density residential - The areas of existing, dense residential development are proposed to be expanded to include all areas of the Village which could be readily served by sanitary sewers. In particular, this category would include now vacant lands north of Louce Creek in the

the western part of the Village and along Riverside Drive, Chapin, Morris and High Streets in the eastern part. Residential uses in this category would generally consist of single-family structures on smaller lots. One and two-family structures would be concentrated on Main and Gouvernor Streets to the south and east of the Village center commercial area.

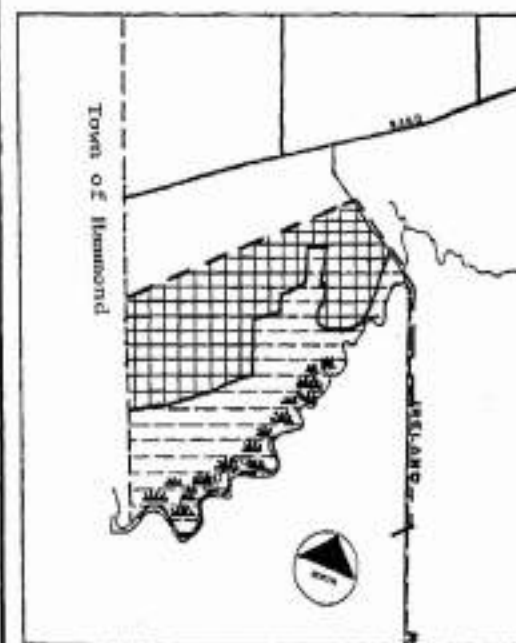
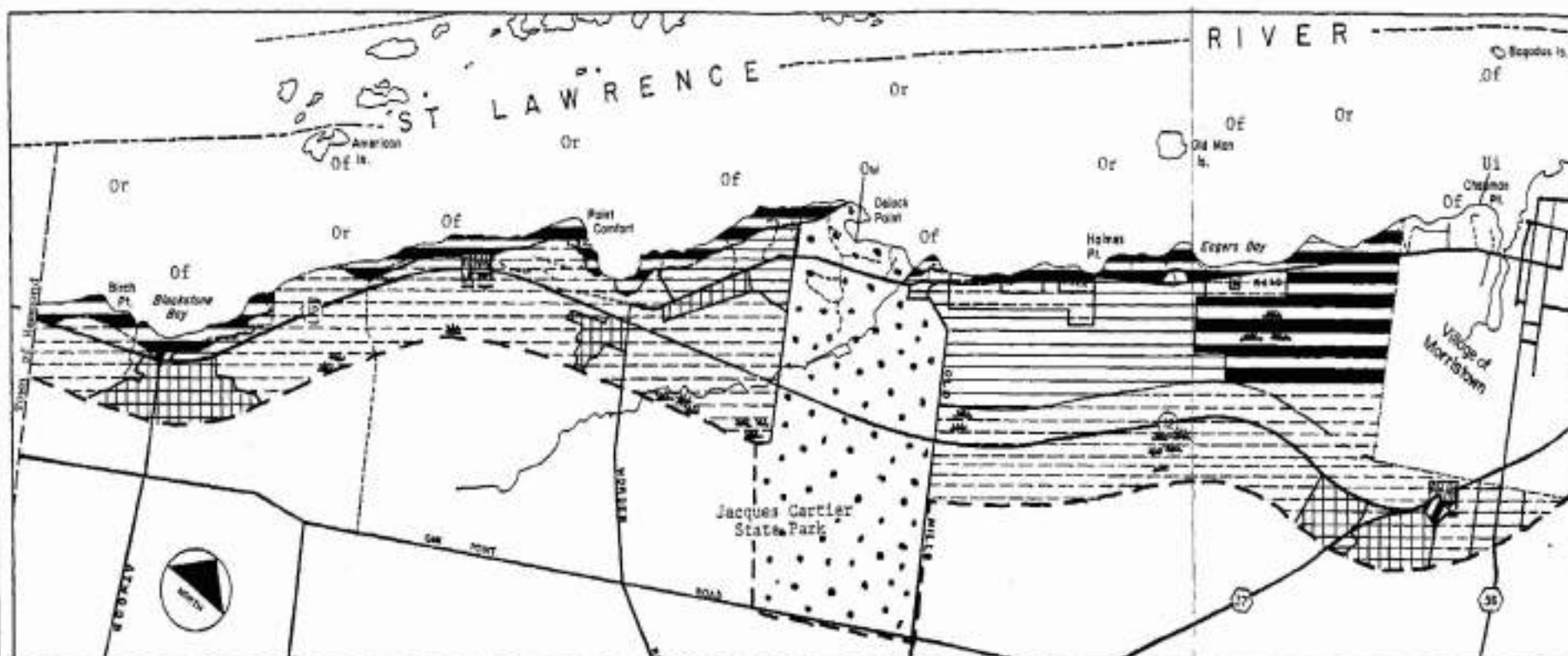
- f. Moderate density residential - Areas to the south and east of NY Route 37 would be proposed for this category. Density would necessarily be lower than in the Urban Density residential areas since public sewers would not be available. The reliance on septic systems and the generally poor suitability for septic tank absorption fields would be the primary density-limiting factor. Mobile home park development would be guided to this part of the Village provided that adequate septic systems could be installed.
- g. Open space density residential - The remaining areas would be included in this category, providing for large lot single family uses on or near lands with greater sensitivity, more severe development constraints or important scenic or agricultural value. Public sanitary sewers would not be foreseen in these areas. The low density of future development would help to minimize non-point discharges of pollutants into the Louce Creek watershed and the inner bay itself.

## **2. East Town (See Plate 11a)**

- a. Public and semi-public - No new public or semi-public uses are proposed.
- b. Highway-related commercial - A short stretch of NY Route 37 is proposed for this use category, as are the ends of Morris and Chapman Streets. The proposed uses would be similar to, and an extension of, those in the Village's highway-related commercial area. Existing uses along NY Route 37 already reflect the tendency toward this type of use. (See Plate 9a).
- c. Urban density residential - No change is proposed.
- d. Moderate density residential - With density controlled principally by the minimum size of parcels needed to accommodate septic systems and wells, much of the land along NY Route 37 would fall into this category. The largest areas would lie northerly, easterly and southerly of the NY Route 37- English Settlement Road intersection and near the Oswegatchie town line north of NY Route 37. Between these areas, the moderate density residential would occupy a thin band mostly along the south side of the State highway.







### LEGEND

#### Land Uses

-  Public or Semi Public
-  Village Center Commercial
-  Highway Related Commercial
-  Water Related Commercial
-  Urban Density Residential
-  Rural Density Residential

-  Open Space Residential
-  Agriculture
-  Wetlands

#### Water Uses

- Or - Boating
- Of - Fishing
- Ow - Swimming
- UI - Water Intakes

--- Coastal Area Boundary

## TOWN OF MORRISTOWN

PLATE 11b (W. Town)

Proposed Land and Water Uses

PREPARED BY THE ST. LAWRENCE-EASTERN ONTARIO COMMISSION  
LOCAL GOVERNMENT ASSISTANCE PROGRAM

Scale 1:24,000



1" = 2000'

- e. Open space density residential - The bulk of the remaining land areas would fall into this category in recognition of steep slopes or bedrock problems (to the north of NY Route 37) or location within the agricultural district (to the south of NY Route 37).
- f. Agricultural - No changes are purposed for the areas with existing agricultural uses.

**3. West Town. (See Plate 11b)**

- a. Public and semi-public - No change from the existing extent of uses in this category is proposed. (see Plate 9b).
- b. Highway-related commercial - No change is proposed.
- c. Urban density residential - No change is proposed.
- d. Moderate density residential - Extending further in a westerly direction from the urban density residential area would be a large area of moderate density residential. This area would extend to and run a short distance beyond Jacques Cartier State Park. A smaller pocket of this type of land use is proposed along County Route 58 south of the Village.
- e. Open space density residential - With the exception of five pockets of proposed agricultural use (see 6, below), all of the remaining land area is proposed for "open space density residential" to acknowledge development limitations of steep slopes or shallow depth to bedrock or to minimize development impacts on the agricultural district and the NY Route 12 scenic corridor.
- f. Agricultural - No change is proposed.

**B. PROPOSED WATER USES**

Proposed water uses are basically the same as those identified on Plates 9a and 9b with one exception in the Village and two in the Town.

**1. Village (See Plate 11a)**

Proposed harbor improvements - A widened boat launch ramp is proposed for the east side of the outer bay (See Fig. 5). Such improvements are expected to increase boating activity originating from the bay area.

2. East Town (See Plate 11a)

A Town boat launch is under consideration for the northerly end of English Settlement Road.

3. West Town (see Plate 11b)

Proposed improvements to the Jacques Cartier State Park swimming area are likely to increase swimming and boating activities there. Some additional dockage is proposed.

### C. PROPOSED PROJECTS

The general objectives of the proposed projects described in the remainder of this section are to stimulate economic development within the waterfront area and to improve the quality of life for residents of these coastal communities. Increased tourism is viewed as a realistic means of achieving the first objective which, in turn, is important to the second. Emphasis is therefore placed on projects which will provide the infrastructure, facilities and activities needed to support tourism development. Since the natural and cultural resources of the local waterfront area are important assets for tourism and essential elements of the quality of life, their protection and enhancement is also emphasized.

Revitalization of deteriorated and underutilized areas, improvement and expansion of public access and recreation facilities and protection of water quality are the specific objectives of the five proposed projects which follow. Although more project activity is proposed for the Village to address its greater revitalization needs, the Town will undoubtedly reap significant benefits from increased tourism in the area and through tax revenues.

1. **Bayside Park.** The Village intends to improve and widen its boat launch, acquire land to assure the supply of parking and provide a service building (restrooms, lockers and showers) at its existing shoreline park. Additional security lighting, landscaping, benches, and trash receptacles are also proposed. Overall development of the site would involve two phases. The first phase is described in detail below in terms of estimated costs and timing. The second phase is described only in terms of possible scope, leaving details of cost and timing to further study.

Phase I. (See Figure 5)

<u>Scope of Work</u>	<u>Est. Cost</u>	<u>Completion Date</u>
Acquire land for access and parking (.31 acres)	20,000	1990

Construct double launch ramp w/dock	22,000	1990
Administration and fees	1,000	1990
Architectural and Engineering Fees	2,000	1990
<b>TOTAL</b>	<b>\$45,000</b>	

Phase II. (See Figure 6)

Possible Scope of Work

Reconstruct bulkhead (250 lin. ft.)  
 Reconstruct pedestrian walkway (250 lin ft.)  
 Construct multipurpose service building with rest rooms  
 Grade, apply stone base, and pave parking area  
 Install site lighting  
 Landscape  
 Provide picnic tables, benches, and trash receptacles

2. **Bicycle/Jogging Path.** (See Figure 7). This project would be undertaken by the Village in cooperation with the Town of Morristown.

It consists of developing a paved shoulder along River Road from the Northumberland Street bridge to the westerly village limits. The shoulder would provide a separate path for cycling and jogging enthusiasts, ultimately interconnecting with Jacques Cartier State Park. Project details are as follows:

<u>Scope of Work*</u>	<u>Est. Cost</u>	<u>Completion Date</u>
Drainage Improvements		1991-92
Application of stone base for shoulder		1992-93
Paving		1992-93
Installation of signage		1992-93
<b>TOTAL</b>	<b>\$8,000</b>	

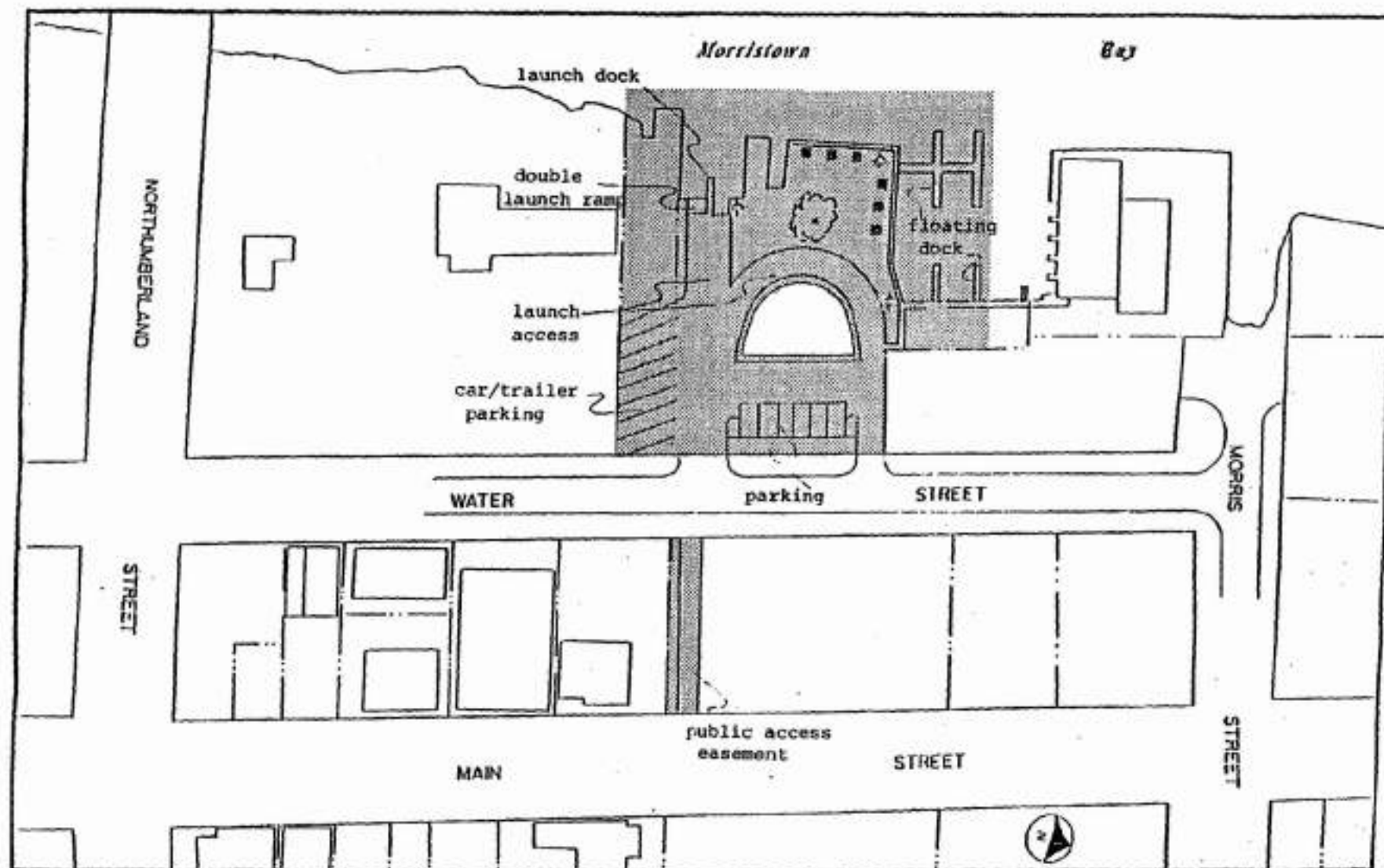
\*Proposed work would be incorporated with an improvement project (resurfacing and drainage improvements) for River Road.

3. **Stone Windmill Restoration.** (See Figure 8 and attached correspondence.) As the focal point of Chapman Park (see Figure 2, p. 36), the Old Stone Windmill is proposed to be restored to an operating condition with a revolving cap (roof) and sails. Restoration of the mill is a marginally viable project because of the considerable costs involved. Nevertheless, the project is included in recognition of its potential contribution to the local economy as a unique tourist attraction. Project details are as follows:

<u>Scope of Project</u> (Phase I)*	<u>Est. Costs</u>	<u>Completion Date</u>
Purchase/acquisition of materials for cap and sails		
TOTAL	\$10-15,000	1990-91

\* See attached correspondence. Phase II, the actual construction work could range between \$80,000 and \$175,000 depending on the extent of volunteer labor involved. No schedule is available for completion of Phase II.

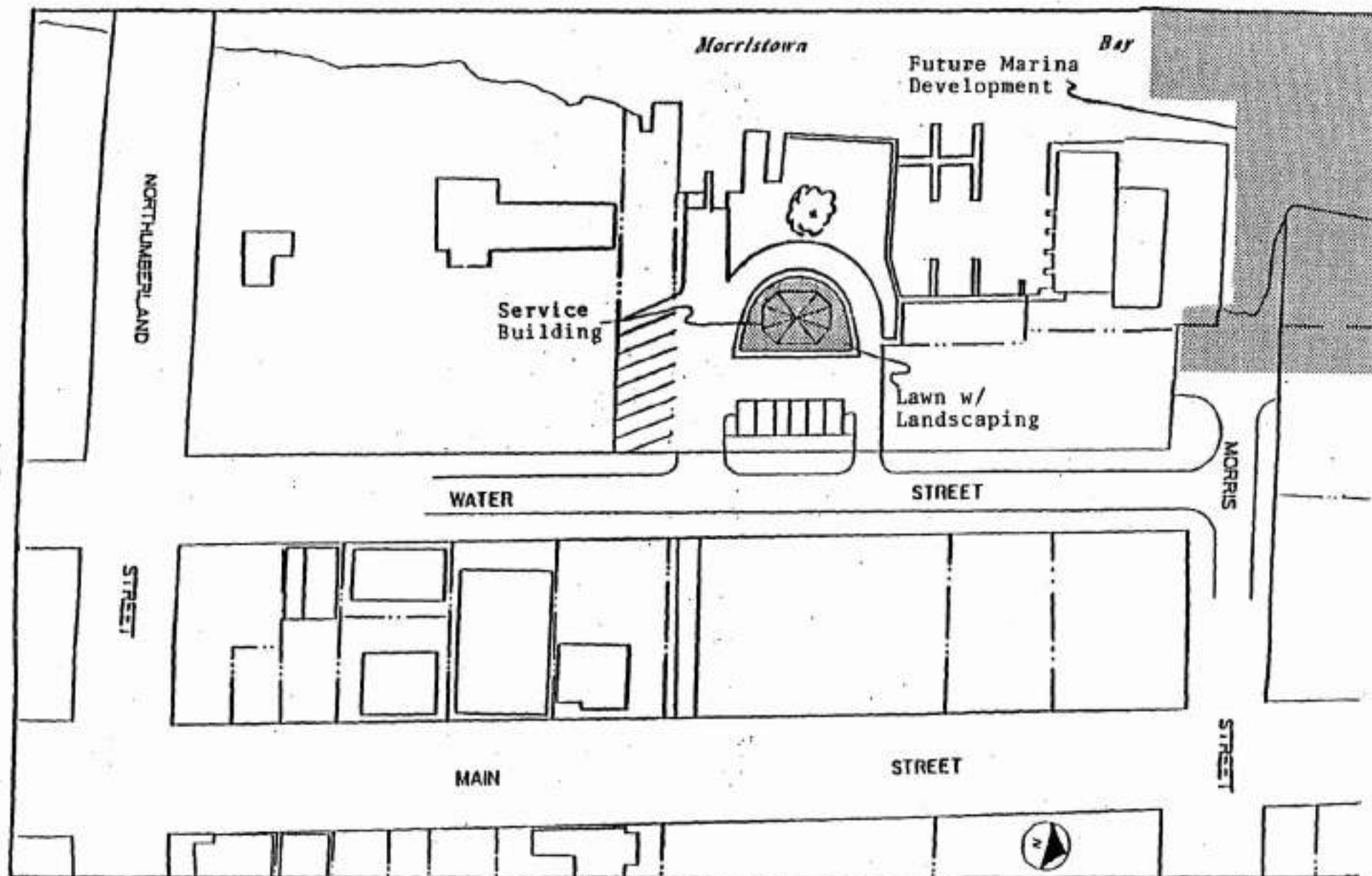




Scale: 1" = 80' (approx.)

KEY: ♦ light poles  
■ park benches

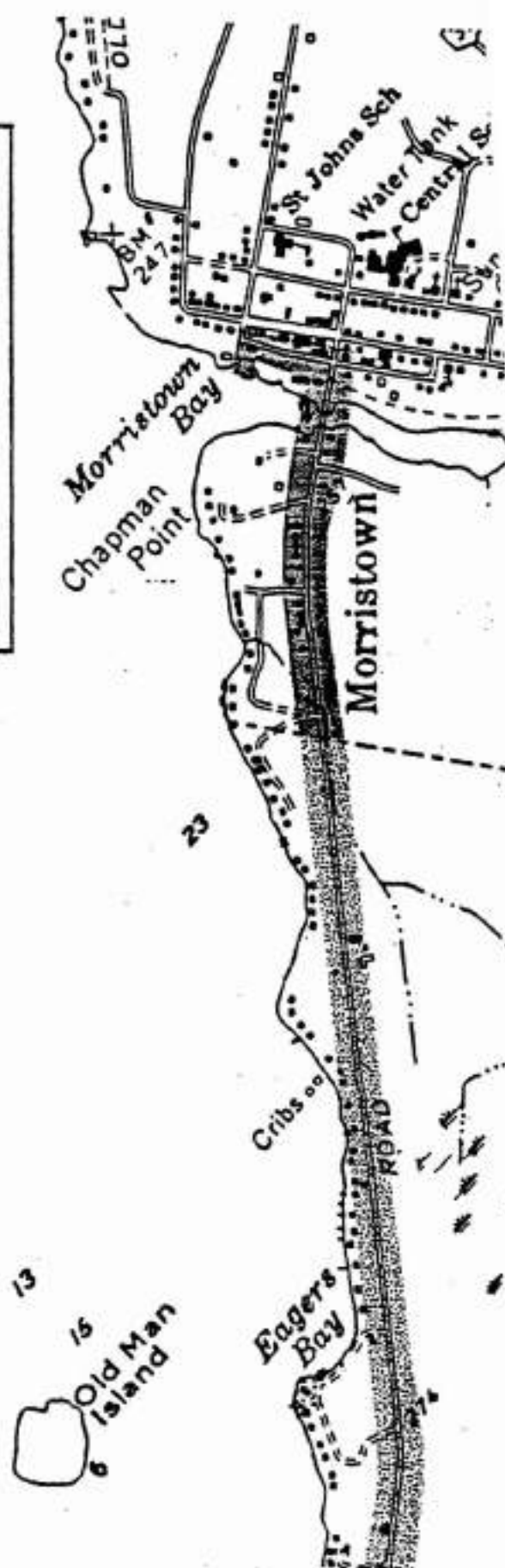
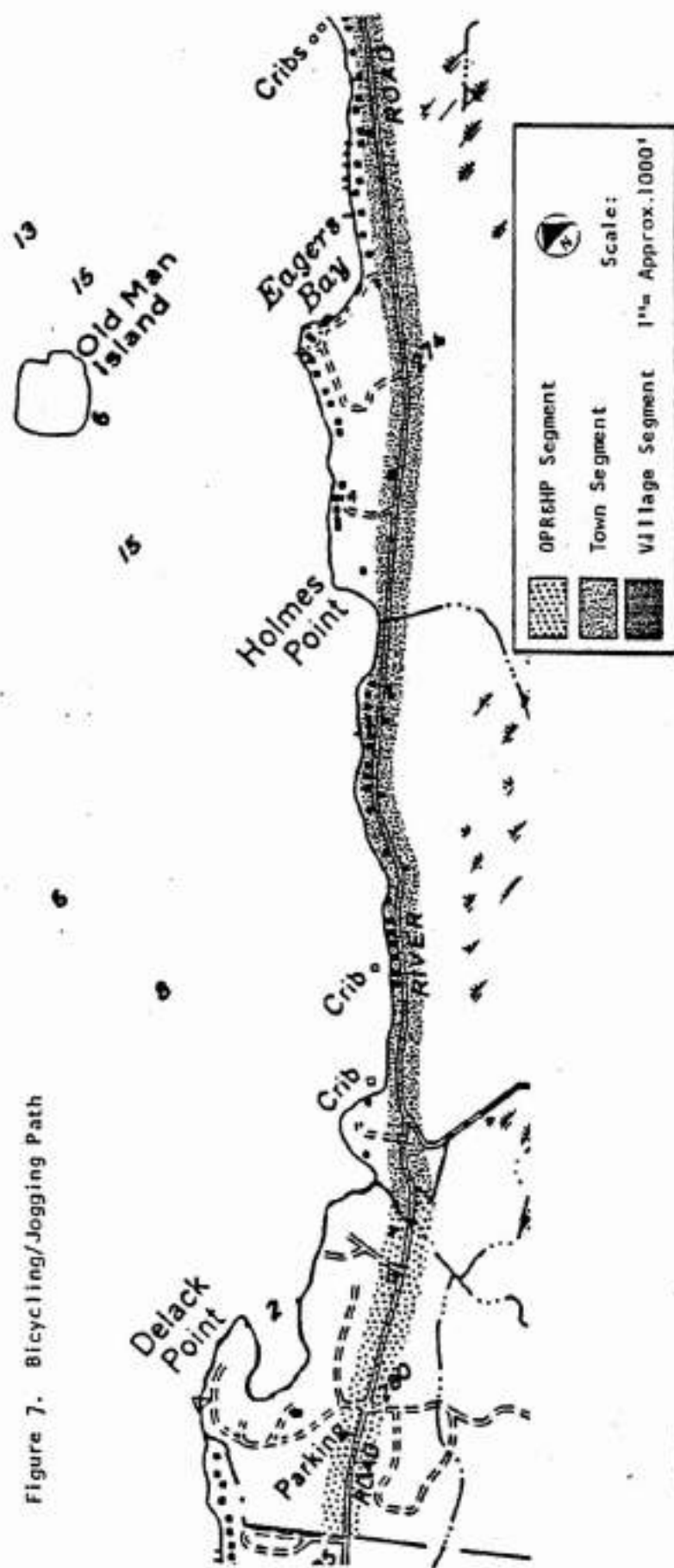
Figure 5:  
Bayside Park  
Phase I



Scale: 1"=80'

Figure 6:  
Bayside Park  
Phase II

Figure 7. Bicycling/Jogging Path



331 Bellwood Avenue,  
North Tarrytown,  
New York 10591.  
Jan. 20th, 1932.

Dear Mrs. Bogardus,

Enclosed please find some rough estimates regarding the restoration of the Old Stone Windmill. It is very difficult to come up with any sort of accurate figures, however, I am basing my ideas on other mill jobs which are in progress.

I think to get started that you should only circulate the estimate for phase one of the restoration. People are more likely to begin on something around \$10,000, than the large figure required for complete restoration. However, I thought that I would enclose the complete figure for comparison. I know that when the St Lawrence Parks people were enquiring about the restoration of the mill, some of the rough estimates for complete restoration were as high as a quarter of a million dollars. This was of course, contemplating on hiring so-called experts to do the job who are known to charge excessive prices.

Good luck with starting on phase one of the mill project.

With my best wishes,

*Charles*

Charles Howell.



THE STONE WINDMILL  
The stone windmill was built in 1825 by Hugh McConnell. Through the years it has served as a mill, the local jail, and finally an Air Warning Post during World War II. Charles Chapman, a noted artist, and his wife Laura donated the Mill property to Morristown in 1943.

Figure 8. Stone Windmill Restoration

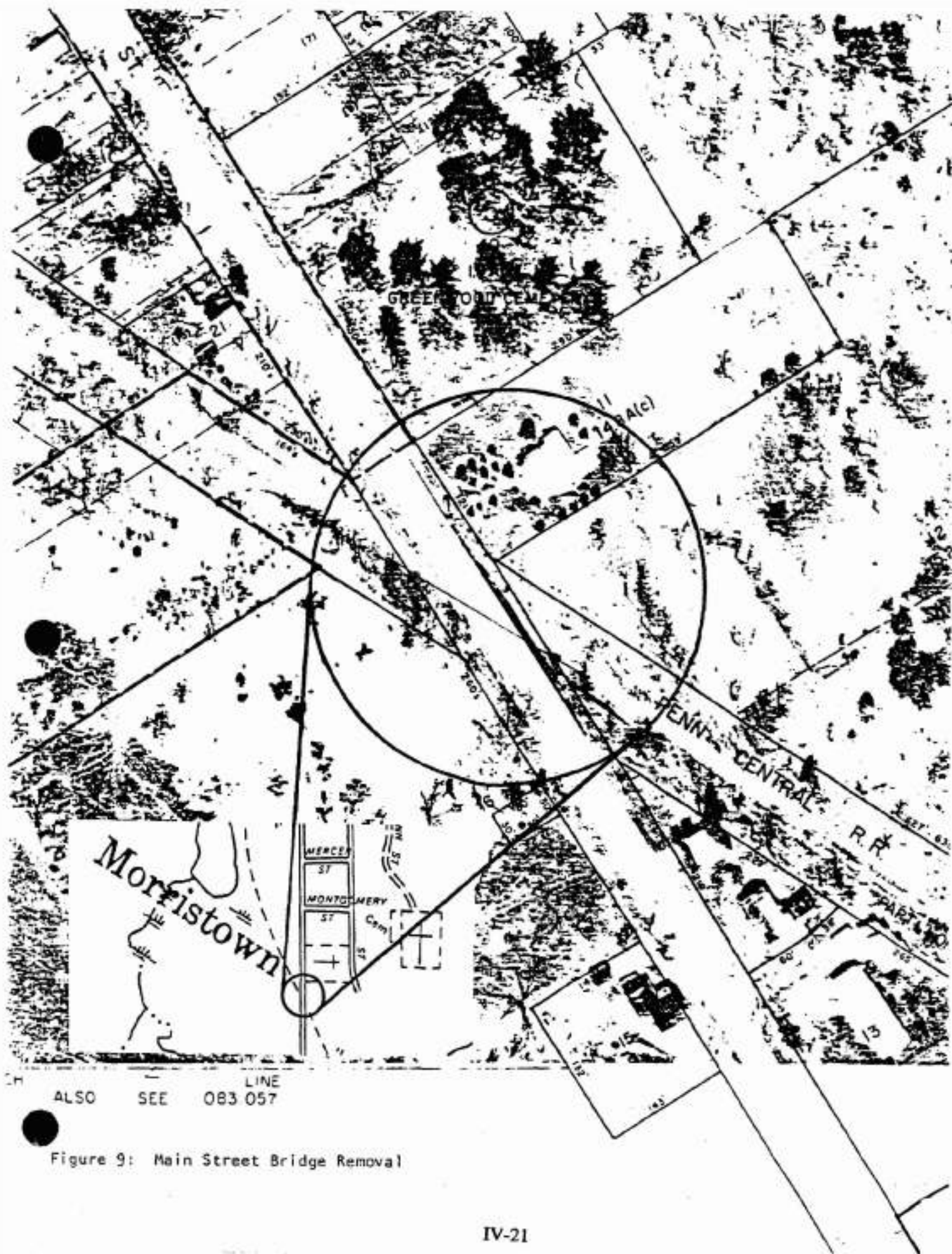


Figure 9: Main Street Bridge Removal



## **SECTION V**

### **TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM**

## **SECTION V-TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM**

Implementation of the policies, uses and projects set forth in the preceding sections of this program will necessarily depend upon a variety of regulatory, administrative and financial techniques. These implementation techniques are described herein under five subheadings:

- A. Local Laws and Regulations
- B. Other Public and Private Actions
- C. Management Structure
- D. Financial Resources
- E. Review of Proposed State and Federal Actions

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

#### **1. Existing Local Laws and Regulations**

##### **Village**

Foremost among local regulatory means of program implementation is the Village's Land Use Code enacted in 1975. The code is comprised of four parts: Building and Sanitary Regulations, Subdivision Regulations, Zoning Regulations and Appendices. Other regulations include an unsafe structures ordinance and an ordinance controlling the accumulation of refuse, junk, junk vehicles, etc. These local laws and regulations are supplemented by local administration and enforcement of the NYS Uniform Fire Protection and Building Code.

##### **a. Building and Sanitary Regulations (Land Use Code-Part 1)**

**ARTICLE I - ENACTMENT AND APPLICABILITY.** This article provides for enactment under Municipal Home Rule Law and Village Law, Section 4-412, sets down the specific title; and states the purpose of the regulations as providing "...basic and uniform standards governing the condition and maintenance of existing structures and uses and the construction and installation of new structures and facilities in order to establish reasonable safeguards for the safety, health and general well-being..." in the Village. Article I also states the scope of the regulations and references Appendix C for definitions.

**ARTICLE II - MAINTENANCE AND CONSTRUCTION REQUIREMENTS.** Article II references applicable laws of other governmental jurisdictions; specifies local requirements governing the maintenance of existing structures and installations and sets forth regulations governing new construction and other site improvements pertaining to drainage and access to public highways. This article also establishes special requirements applicable to development in flood hazard areas, shoreline and stream protection, supply of potable water, sanitary sewage disposal and refuse disposal.

**ARTICLE III - ADMINISTRATION AND ENFORCEMENT.** Here, requirements are established regarding Land Use Permits and Certificates of Compliance. Also, measures for handling the replacement of existing water supply or sewage disposal systems are provided. This article also provides means for dealing with unsafe and substandard structures and installations. Finally, this article cites procedures for future amendments, public hearings, referrals, enforcement, violations, appeals, interpretation and effectuation of the building and Sanitary Regulations.

**b. Subdivision Regulations (Land Use Code - Part II)**

**ARTICLE I - TITLE, PURPOSE AND SCOPE.** This article states the formal title; cites six reasons for regulating the subdivision of land".... as part of a plan for the orderly, efficient and economical development of the Village of Morristown; and defines the scope in accordance with applicable provisions of Village Law, Article I and Municipal Home Rule Law.

**ARTICLE II - APPLICATION AND REVIEW PROCEDURE.** In five sections, this article outlines procedures governing pre-application (conference and sketch plan), formal application requirements and procedures for both the preliminary and final subdivision flats and the manner in which subdivision plat approvals are to be coordinated with the Village's zoning regulations.

**ARTICLE III-MINIMUM STANDARDS AND REQUIRED IMPROVEMENTS.** The dozen sections under this article provide for general standards, treatment of natural features, roadway specifications (monumentation - layout and construction), configuration of blocks to be created - subdivision lot specifications (size, shape, orientation and accessibility), grading and drainage of the tract, specifications for the type and size of easements to be provided, provisions for sewage disposal and water supply systems, and other utilities, safety and aesthetic arrangements (street lighting, street trees, signs and screening or buffering), provision of park and playground or open space areas or payment in lieu of such areas, and adjustments to the approved and filed final plat.

**ARTICLE IV - ADMINISTRATION AND ENFORCEMENT.** The last article of the Subdivision Regulations provides for notice to the County Clerk, recording of final plats, fee and separate (formal) acceptance of improvements or facilities by the Board of Trustees; allows a waiver of non-applicability under certain conditions; specifies Enforcement Officer duties, handling of citizen complaints, notification and correction of violations, penalties upon conviction for violations, appeals and court review; and provides for interpretation and effectuation of the regulations.

Figure 10  
Existing Zoning Schedule

DISTRICTS	PRINCIPAL PERMITTED STANDARD USES	PRINCIPAL PERMITTED CONDITIONAL USES	MINIMUM LOT REQUIREMENTS		MAXIMUM PERCENTAGE OF LOT COVERAGE (Building Area)	MAXIMUM BUILDING HEIGHT		MINIMUM YARD DIMENSIONS (In Feet)										
			Area in Acres/Sq. Ft.	Width in Feet		Stories	Feet	Front 1/2 r.o.w./centerline		Side	Four							
R-1 Residential	One-family, seasonal dwelling		(20,000)*	100	25	3	30	15/30	15	30	15							
			20,000**	125														
			40,000***	150														
		Home occupation										*	*	*	*	*	*	
	Public, semi-public structure, use	2 acres		150	*	*	*	50/75	25	50	50							
	Public utility structure, use																	
R-2 Residential - Detached	One-, two-family dwelling		20,000*		25	3	30	15/30	15	30	20							
			20,000**	100														
			40,000***															
		Home occupation										*	*	*	*	*	*	
		Multiple family dwelling by conversion	20,000+									*	*	*	*	*	*	
		Public, semi-public structure, use	2,000/d.w.	125								*	*	*	15/30	15	30	30
	Public utility structure, use	2 acres		150	*	*	*	50/75	25	50	50							
V-C Village - Center	One-, two-family dwelling Retail sales structure, use Personal service structure, use Office, bank, financial institution Eating, drinking establishment Home occupation		15,000	100	35	3	36	None Required	None Required	10 (10 ft.)	25							
			15,000	*								*	*	*	*	*	*	
			15,000	*								*	*	*	*	*	*	
			15,000	*								*	*	*	*	*	*	
			15,000	*								*	*	*	*	*	*	
				*								*	*	*	*	*	*	
		Multiple family dwelling, rooming, tourist home or d.w.	20,000 + 2,000/d.w. or d.w.	125								*	*	*	*	*	*	
		Hotel, motel, tourist accommodations	1 acre	150								*	*	*	*	*	*	*
		Public, semi-public structure, use	2 acres	150								*	*	*	*	*	*	*
		Public utility structure, use																
O-1 Open Space	One-family, seasonal dwelling Open space recreation use		10 acres	300	10	3	36	50/75	25	50	50							
		Public, semi-public structure, use	70 acres	300								10	*	*	*	*	*	
	Public utility structure, use																	
F-H Flood Hazard (Overlay)	Uses permitted in the underlying district in accord with the process established under these Regulations.																	
Planned Development:	Uses with a demonstrated need and which are deemed appropriate by the Planning Board and Village Board, and approved as outlined in accord with the provisions of these Regulations, including, but not limited to the following:																	
P-CD	Planned Commercial Development																	
P-RD	Planned Residential Development																	
P-WD	Planned Waterfront Development																	

NOTES:

1/ Front yard setback to be measured from the public road right-of-way whenever possible. Where the right-of-way cannot be readily established, the minimum yard dimension shall be measured from road center line. Table is read thusly:  $\frac{r.o.w./center\ line}{50' / 75'}$

\* with public water and sewer

\*\* with public water or sewer


\*\*\* without public water or sewer

d.w. dwelling unit

d.w. overnight accommodation

\* repeat last numerical standard from above in same district

--- no standard applicable

Q-S  Special Agent



R	RESIDENTIAL	
RT	RESIDENTIAL - TRANSITION	
VC	VILLAGE CENTER	
OS	OPEN SPACE	
FH	FLOOD HAZARD	REVIEWED BY: [redacted]
PCD	PLANNED - COMMERCIAL	DEVELOPMENT
PRD	PLANNED - RESIDENTIAL	DEVELOPMENT
PWD	PLANNED - WATERFRONT	DEVELOPMENT

**the Safety Association**  
LAWRENCE, MASSACHUSETTS 01840  
TEL: (617) 681-1111 FAX: (617) 681-1112



**c. Zoning Regulations (Land Use Code - Part III)**

**ARTICLE I - ENACTMENT AND APPLICATION.** The first article states the enacting authority, title, purpose, and scope of the Zoning Regulations and cites the definitions as listed in Appendix "C" which is made part of the regulations.

**ARTICLE II - ESTABLISHMENT OF DISTRICTS.** This article states the purpose of creating districts and established four basic districts (R- Residential District, R-T - Residential Transition District, V-C - Village Center District, O-S - Open Space District ), an overlay district (F-H- Flood Hazard (Overlay) District) and three Planned Development Districts (P-CD - Planned Commercial Development District, P-RD- Planned Residential Development District and P-WD - Planned Waterfront Development District ). This article also sets forth standard and conditional uses for each district as Attachment I (see Figure 10); states the purpose of procedures for and special applicability of Planned Development Districts; and includes a zoning map as Attachment II (See Figure 11).

**ARTICLE III - APPLICATION OF REGULATIONS.** Six sections under this article provide respectively for interpretation of the Zoning Map, interpretation of the regulations, additional regulations concerning lots and building location, treatment of accessory buildings and uses, regulation of shoreline lots and requirements for nonconforming structures and uses.

**ARTICLE IV - SUPPLEMENTARY REGULATIONS.** This article encompasses five sections which regulate, respectively, conditional uses, off-street parking and loading, signs, site improvements and screening and Flood Hazard Areas.

**ARTICLE V - ADMINISTRATION AND ENFORCEMENT.** Land Use Permits, Certificates of Compliance, amendment procedures, public hearings, referrals of applications pursuant to Section 239n of General Municipal Law and provisions for enforcement, violations and appeals are set forth in this article.

**d. Appendices (Land Use Code - Part IV)**

**APPENDIX 'A' - BOARD OF APPEALS.** This appendix creates and describes the powers and duties of a Board of Appeals. Procedures for hearing and deciding appeals are set forth here.

**APPENDIX 'B' - REQUIRED SUBMISSIONS.** Appendix 'B' specifies the site plan, development data and legal data to be submitted pursuant to other regulations of the Land Use Code.

**APPENDIX 'C' - DEFINITIONS.** Definitions used in other parts of the Land Use Code are defined in this appendix.

**e. Dangerous or Unsafe Structures Ordinance.**

This ordinance allows the Village Board of Trustees to authorize an appointed inspector to investigate dangerous or unsafe structures. If a building is determined unsafe and upon neglect or refusal of the owner to remedy the dangerous conditions, the Village Board can seek an order in State Supreme Court for repair or removal of such building. The ordinance imposes a \$500.00 penalty.

**f. Ordinance 65-1.**

The improper storage or accumulation of trash, garbage, refuse, junk, dismantled or wrecked vehicles and other deleterious materials is prohibited by this ordinance. A \$25.00 fine accompanies violation of these regulations.

**g. NYS Uniform Fire Protection and Building Code.**

Local administration of this code commenced in 1985 as part of intermunicipal agreements with four other communities for the shared services of a code enforcement officer. Portions of the Village's Land Use Code have been rendered obsolete.

The Village's Land Use Code provides a comprehensive regulatory framework conducive to implementation of the policies and purposes of this program. Requirements for physical development (under Part I) support many of the Section III policies concerning development, flooding and erosion, scenic quality and water quality. The subdivision regulations (under Part Village II) also support the development, scenic quality and water quality policies, and further policies on public access and recreation. Nearly all of the policies of Section III will, to a certain extent, rely on the zoning regulations (under Part III) for implementation. With a sound basis in comprehensive planning, the zoning regulations were carefully drafted to guide future development patterns and densities in a manner which would accommodate existing development conditions, acknowledge severe physical constraints to new development, emphasize marine-related development around the Village's small harbor area, avoid or minimize impacts on environmentally sensitive areas, protect valuable resources (e.g. surface and groundwater, shoreline, open space and scenic corridors), and encourage economic development.

Nevertheless, the Land Use Code fell short of fully addressing all applicable Section III policies warranting regulatory implementation. Policies concerning fish and wildlife resources, historic resources, and wetlands received little or no attention. Many of the policies addressed by the code in general terms suffered from inadequate implementation given the code's separate, earlier origins and differently construed, imprecise or missing standards. For example, the current zoning districts and their respective area requirements would be generally

conducive to the proposed land uses described in Section IV, but not entirely so. As another example, the three Planned Development Districts were, for all practical purposes, without standards. These and other past shortcomings are listed below:

1. lack of specific emphasis on water-dependent and water-enhanced uses,
2. inadequate guidance for harbor development,
3. lot size requirements which are excessive in comparison to existing lot sizes, particularly where public sewers will be provided to support concentrations of development
4. lack of any regulatory means for protection of fish and wildlife habitats.
5. inadequate means of addressing/managing wind driven wave and ice damage to shoreline structures.
6. limited guidance for protecting public access and recreation facilities from private development impacts,
7. absence of protection for significant historic structures,
8. limited guidance for protecting and enhancing scenic and other visual resources.
9. absence of means for reducing or preventing non-point pollution,
10. inconsistencies between the zoning districts and the proposed land uses described in Section IV.

#### **Town**

Unlike the Village, the Town of Morristown is essentially without regulatory means of policy implementation. Only the local administration and enforcement of the NYS Uniform Fire Prevention and Building Code can be noted. Since this code governs all new construction, some aspects of aesthetics and property maintenance, and all installations of individual sewage disposals systems, local enforcement does further coastal policies concerning development, scenic quality and water quality. A comprehensive set of regulations and standards is needed.

## **2. Additional Local Laws and Regulations Adopted**

#### **Village.**

To ensure implementation of the program's various coastal policies, the Village enacted a comprehensive series of amendments to its zoning regulations and a local "consistency law." A general description of these amendments are provided below.

#### **a. Amendments to the Land Use Code, Part III - Zoning Regulations**

**ARTICLE I - ENACTMENT AND APPLICATION.** Section 3 of this article was amended to include protection and beneficial use of the Village's coastal resources as part of the purpose statement. Specific reference to implementation of the LWRP's coastal

policies is provided. Definitions have been added to Section 5 (Appendix 'C') as appropriate for terms originating in or pertaining to the LWRP.

**ARTICLE II - ESTABLISHMENT OF DISTRICTS.** Section 7 has been revised to make the zoning districts compatible with the Proposed Land and Water Uses map in the LWRP (Section IV). The new districts (see Figure 12) would take the following form:

- R-V Residential-Village Center (formerly part of R-T Residential Transition)
- R-U Residential-Urban (formerly R- Residential)
- R-R Residential-Rural (formerly P-RD Planned Residential Development)
- R-O Residential- Open Space (formerly V-C Village Center)
- C-H Commercial-Highway (formerly P-CD Planned Commercial Development)
- H-D Harbor Development (formerly P-WD Planned Waterfront Development)
- F-H Flood Hazard (Overlay) unchanged)
- W-R Waterfront Review (Overlay) (new)
- P-D Planned Development (floating) (new)

Text has been added as needed to reference specific district regulations, supplementary regulations, standards for conditional uses, and administrative procedures applicable to both the basic and overlay districts. Specific procedures for establishment of Planned Development Districts are set forth under this article. Requirements applicable to mobile home courts have been deleted from this article in favor of more comprehensive mobile home regulations under article iv - supplementary regulations.

**ARTICLE III - APPLICATION OF REGULATIONS.** The requirements under Section 15 have been shifted to **ARTICLE IV - SUPPLEMENTARY REGULATIONS** to form a single, more comprehensive section addressing requirements applicable to the Waterfront Review (Overlay) District. For land use or development within the Waterfront Review (Overlay) District, the Coastal Policies will be used as review standards.

**ARTICLE IV - SUPPLEMENTAL REGULATIONS.** The most significant amendment to this article entails the inclusion of site plan review regulations and, for land use or development within the Waterfront Review (Overlay) District, the LWRP's coastal policies as review standards for the site plan review process. Reference to administrative procedures of **ARTICLE V** would necessarily be provided here.

**ARTICLE V - ADMINISTRATION AND ENFORCEMENT.** The final set of amendments to the zoning regulations include administrative procedures for site plan reviews. Where review of land use or development within the Waterfront Review (Overlay) District is involved, the site plan review procedures provide for a Waterfront Assessment Form (WAF) to be used for local consistency reviews. Required submissions for site plan review, including the WAF, are referenced from this article to **PART IV, APPENDIX 'B'** of the Land Use Code.



**b. LWRP Consistency Law.**

"A Local Law Establishing Consistency Requirements and Review Procedures for Village Actions Involving the Waterfront Area" was adopted for implementation of the LWRP regarding actions by the Village. This local law will require of each board, department, office, officer or other body of the Village of Morristown that its actions to directly undertake or to permit, fund or otherwise approve any project, use or activity within the waterfront area be consistent to the maximum extent practicable with the applicable State and local coastal policies set forth in the Village of Morristown/Town of Morristown Local Waterfront Revitalization Program. To this end, the LWRP Consistency Law establishes procedures for:

1. initial review of proposed actions in a manner compatible with requirements of the State Environmental Quality Review Act (SEQRA) and Title 6, Part 617 NYCRR;
2. advisement and assistance to applicants (if involved) and/or the boards, departments, offices, officers or other bodies of the Village involved regarding forms, procedures, etc.; and,
3. LWRP Consistency and SEQRA review through the Village Planning Board and the local lead agency respectively.

The zoning amendments have improved the Village's ability to implement the LWRP in several ways. First, as previously noted, the reshaping of zoning districts foster an overall land use pattern in concert with Section IV of the program. Second, the specific requirements for the amended districts implement virtually all of the applicable Development Policies and further others under the Flooding and Erosion, General, Public Access and Recreation, Scenic Resources and Water and Air Resources policy groups. Finally, creation of the Waterfront Review (Overlay) District, incorporation of Site Plan Review regulations and inclusion of all coastal policies as Site Plan Review criteria further implement the above policy groups while assuring that Fish and Wildlife and Energy and Ice Management policies are also considered.

Direct actions proposed to be undertaken in the waterfront area are guided by local consistency reviews according to the LWRP Consistency Law. Such actions are to be consistent with and, thus, implement all applicable coastal policies.

**Town**

It was once thought that there would be little new development within the Town's waterfront area. This belief was due to the already extensively developed shoreline, the difficult topography just inland of the shoreline, and the extensive agricultural activity. However, recent experience has shown that development has continued within the coastal area. There are numerous factors that have contributed to the ongoing developmental pressure, some of which are: the expansion of Fort Drum, the construction of several



prisons, a continuing desire for recreational facilities (summer cottages) by residents of nearby metropolitan areas, a continuing decline in agricultural activities, revitalization and growth in the Village, and a general growth in the North Country economy. This combination of factors has led to a development on lands formally thought unsuitable for such activities and has led to the recognition of the need to implement the LWRP's applicable policies to ensure the long term protection and beneficial use of the Town's coastal resources.

**a. Waterfront Area Site Plan Review.**

This recently adopted proposed local law requires that a site plan be prepared for each development proposal (excluding one-or two-family residences and customary farm structures) within the waterfront area and that no building permit for such development be issued unless and until such site plan had been reviewed and approved by the Town of Morristown Planning Board. Applicable coastal policies from the LWRP have been incorporated in the law as review criteria. Specifications for preparation of site plans and administrative procedures for their approval are included. Provisions for enforcement, penalties applicable to convictions for violations and appeals likewise enacted in the law.

**b. LWRP Consistency Law.**

This local law is basically identical to that of the Village. Actual consistency review procedures would be slightly simpler, however. Review necessarily involve the Town Clerk and the board or department proposing the action. Provisions allow for referrals of more complex or difficult consistency reviews for Planning Board input.

**c. Minimum Lot Size Regulations.**

The Town has adopted minimum lot size legislation to address the problem of tightly clustered development. This problem is most evident along the shores of the St. Lawrence River and Black Lake where summer cottages are being constructed with as little as two feet separation. This has created fire hazards, non-source point pollution, aesthetics degradation and a general deterioration in the qualities of the Town's waterfront area.

**d. Additional Regulations.**

The Town will vastly increase its LWRP implementation capabilities by the consideration of legislation that will address additional concerns, such as: mobile homes, mobile parks, campground, commercial signage, junk automobiles, and subdivision. At this time it has not been determined whether to address these concerns individually or within a comprehensive package. The Town will address these concerns not only in its LWRP's implementation goals, but with a Townwide consideration. The Town has recognized

that actions within the LWRP boundary area, and outside of the area, have a direct relationship upon the impacts felt in both areas.

## **B. OTHER PUBLIC AND PRIVATE ACTIONS**

In addition to the regulatory measures described on the preceding pages, several other public and private actions will be necessary to assure implementation of the LWRP. Those pertaining to the Village include a traffic and parking study, a harbor management plan, a sedimentation/eutrophication control study for inner Morristown Bay, pursuit of jurisdiction regarding use of the harbor's waters, a facade/streetscape improvements study, public-private participation and other implementation activities involving technical assistance and coordination. Other actions pertaining to the town include a sewer extension feasibility study, creation of a planning board and other implementation activities including technical assistance for training and consistency reviews. Each of these other public and private actions is described briefly below.

### **Village**

#### **1. Comprehensive Traffic and Parking Study.**

In the older, steeper section of the Village, buildings hug closely to the north-south streets running parallel to Morristown Bay. Along the northern section of Main Street, dense development-- with little or no setback-- and curb cuts or side streets allow for only limited parallel parking. Currently, traffic circulation problems and parking deficiencies are primarily linked to major events and activities. Local officials recognize, however, that installation of a village sewer system will spur new development activity and increase both traffic congestion and parking demand.

Therefore, the Village proposed a comprehensive study of its circulation system and parking supply to identify alternatives for handling increased traffic loading and means for increasing parking capacity. The study area would encompass most of the older section of the Village east of the bay, with Main Street and the harbor area receiving the greatest attention. Costs for the study are estimated to range between \$5500 and \$7500. The study should be completed as a short term priority (2-3 years).

#### **2. Harbor Management Plan.**

In tandem with the comprehensive traffic and parking study, the Village proposes the preparation of a harbor management plan to establish long term guidelines for optimum harbor use and development. Coordination between the two studies will be essential since harbor uses will generate traffic and parking demands while circulation alternatives and potential parking capacities will be limiting factors regarding harbor development. The management plan would assess existing constraints and conditions such as water depth, sediment and weed growth characteristics, current and wave dynamics, ice formation and breakup, existing shoreline structures, ownership patterns and the built environment surrounding the harbor. Based on the above assessments, the management

plan would provide standards for the development of marinas and other facilities affecting use of the harbor's limited water surface and shoreline and guidelines for support facilities and water enhanced uses to be encouraged inland from the immediate harbor shoreline. Finally, the management plan would recommend administrative and financial mechanisms for implementation. Costs for preparation of the harbor management plan are estimated in the range of \$20,000. The plan should be developed as a short term priority (2-3 years).

### **3. Inner Morristown Bay Sedimentation/Eutrophication Control Study.**

As noted in Section II, inner Morristown Bay is experiencing significant sedimentation and weed growth due to limited flow of surface runoff (via Louce Creek) and constriction of general currents at the Northumberland Street bridge.

Therefore, the Village proposes an overall sedimentation/eutrophication control study for the inner bay to examine the feasibility and costs of both structural and non-structural means of dealing with the problem. A consulting firm with a strong background in hydrology, hydraulic engineering and marine construction would be sought. Costs for this study have not been estimated at this point. As a longer-term priority, the work would not be undertaken for at least 5 years.

### **4. Main Street Facade/Streetscape Improvements Study.**

An architectural firm would be hired to develop recommendations for revitalizing the Village center portion of Main Street. The firm would be directed to assess existing strengths and weaknesses of the Village center's image and provide recommendations and guidelines for facade improvements, landscaping, lighting, street furniture and other features to enhance the area's character and vitality. Recommendations would include programmatic and financial measures needed for implementation. This study is also a longer-term priority (5 years+) and has not been assigned cost estimates.

### **5. Additional Jurisdiction into the Harbor.**

Subsequent to preparation of the harbor management plan, the Village will pursue obtaining jurisdiction from the shore into the harbor's waters for purposes of regulating boat traffic and general harbor activity. The increase in jurisdiction would be pursued under the authority of Section 46(a) of Article 4 of the State Navigation Law. Such authority must be approved by the NYS Bureau of Marine and Recreation Vehicles within the Office of Parks and Recreation and Historic Preservation.

### **6. Public-Private Participation.**

Given the obvious linkages between private development potential and village efforts to provide public sewers, improve traffic circulation, increase parking supplies, manage development in and around the harbor and revitalize Main Street in the Village center, a significant level of public-private cooperation and participation will be essential.

Timely input from private landowners, developers, and local business interests will help local officials and their consultants shape the various implementation activities in these critical sections of the Village's waterfront area. Joint planning with the affected business and landowners, cost sharing and coordinated project efforts will maximize benefit in both the public and private sectors. Such participation will also assure that private sector interests are aware of and sensitive to coastal policies as may be applicable to their development plans.

#### **7. Other implementation Activities.**

Technical assistance from county, regional and/or State agencies will be needed to carry out many of the projects outlined in Section IV and the other actions described in this section. Assistance in preparing grant applications, communicating with funding and permit issuing agencies, undertaking consistency reviews and, in general, coordinating local efforts with various public agencies and private interests will be vital. Coordination with the Town of Morristown will also be important for effective implementation.

#### **Town**

##### **1. Creation of a Town Planning Board.**

At the time the Town enacts its Site Plan Review and Mobile Home/Campground Regulations, the Town Board will need to pass a resolution creating its Planning Board. Appointment of Planning Board membership would properly precede (or at least coincide with) the effective date of the new regulations.

##### **2. Other implementation Activities.**

The Town would also require technical assistance similar to that needed by the Village but to a lesser extent. In place of significant grantsmanship assistance, however, training for a newly established Planning Board would be a major assistance need. Assistance with consistency reviews would be particularly important. Of course, continued coordination with the Village is expected as a beneficial action.

### **C. MANAGEMENT STRUCTURE**

#### **Village**

1. Lead Agency - Village Board of Trustees - execution of categorical responsibilities (through coordination of the Mayor for aspects such as infrastructure capacity, coordination with volunteer and private organizations, and local government cooperation).
2. Principal Local Official - Mayor (for overall program management and intergovernmental coordination on program policy).

3. Other management entities:

- a. Planning Board - provision of advice and assistance to the Village Board and the public in prioritizing program projects and activities; provision of input/feedback to the Village Board on the compatibility of waterfront activities with program policies and objectives; review and approval of site plans for new development within the waterfront; and participation in consistency reviews in conjunction with lead agency reviews.
- b. Zoning Board of Appeals - the hearing and rendering of decisions on variances, special permits and appeals from and review of any order, requirement, decision, or determination made by the Building Inspector pertaining to the waterfront.
- c. Enforcement Officer - determination of the compliance of waterfront land use and development proposals with the zoning law, the issuance of permits therefor and enforcement.
- d. Superintendent of Public Works - coordination of operation and maintenance for public waterfront facilities.
- e. Village Clerk/Treasurer - communication, record keeping and fiscal management for village government actions pertaining to the waterfront.
- f. Morristown Area Chamber of Commerce - coordination of merchant and private sector involvement in the LWRP, assistance in soliciting donations for smaller waterfront projects and promotion of public and private interests and support for revitalization activities.
- g. Morristown Foundation - fund raising, community programs or projects benefitting Morristown's cultural heritage.

Town

- 1. Lead Agency - Town Board - execution of categorical responsibilities (through coordination of the Town Supervisor) for aspects such as infrastructure capacity, coordination with volunteer and private organizations, and local government cooperation.
- 2. Principal Local Official - Town Supervisor (for overall program management and intergovernmental coordination on program policy).
- 3. Other management entities
  - a. Planning Board - provision of advice and assistance to the Town Board and the public in prioritizing program projects and activities; provision of



input/feedback to the Town Board on the compatibility of waterfront activities with program policies and objectives; review and approval of site plans for new development within the waterfront; and participation in consistency reviews in conjunction with lead agency reviews.

- b. Enforcement Officer - determination of the compliance of waterfront land use and development proposals with the Site Plan Review regulations, the issuance of permits therefor and enforcement.
- c. Town Highway Superintendent - coordination of operation and maintenance for public waterfront facilities.
- d. Town Clerk - communication and record keeping for LWRP implementation activities.
- e. Morristown Area Chamber of Commerce - coordination of merchant and private sector involvement in the LWRP, assistance in soliciting donations for smaller waterfront projects and promotion of public and private interest and support for revitalization activities.
- f. Morristown Foundation - fund raising, community programs or projects benefitting Morristown's cultural heritage.

#### **D. FINANCIAL RESOURCES**

Only a portion of the costs for program implementation have been estimated at this time. As the various studies are completed, they will provide a broader picture of longer-term LWRP costs. Until then, sources of financing for future cost estimates cannot be addressed.

On the other hand, many of the projects and some of the studies include tentative cost estimates. These estimates will serve as general targets for the magnitude of financial resources needed and the public and/or private sector sources of funds. Outlined below by community, project or study and funding level are the proposed funding sources.. (Primary sources are indicated by an asterisk.)

Village

1. Projects

a) Bayside Park (Phase I)

\*NYS Office of Parks, Recreation  
and Historic Preservation -  
Environmental Quality Bond Act  
Funds

22,500 grant

\*Village (cash and in-kind)

22,500

Total

\$45,000

b) Bicycle/Jogging Path

\*U.S. Dept. of Interior, National Park  
Service Land and Water Conservation  
Fund or  
NYS Dept. of State Coastal Management  
Program Waterfront Implementation Grant

\$ 4,000

\*Village (cash and in-kind)

4,000

Total

\$ 8,000

c) Stone Windmill Restoration (Phase I)

\*NYS Dept. of State Coastal Management  
Program Waterfront Implementation Grant

\$ 5,000 grant

NYS Council on the Arts

0-5,000 grant

Adirondack North Country Association  
Community Beautification Project Grant

1,000 Match (pt.)

Local fund raising (including  
Morristown Foundation)

2,000 match (pt.)

Village (cash and in-kind)

2,000 match (pt.)

Total

\$15,000

d) Main Street Bridge Removal

U.S. Dept. of Transportation, Federal Highway Administration	\$180,000 grant
NYS Dept. of Transportation	10,000 grant
Village (bonding)	10,000 match
	<hr/>
	\$200,000 Total

2. Studies

a) Comprehensive Traffic and Parking Study

*NYS Dept. of State, Coastal Management Program, Waterfront Implementation Grant	\$2,750-3,750 grant
*Village (cash and in-kind)	2,750-3,750 match
	<hr/>
	\$5,500 - 7,500 Total

b) Harbor Management Plan

*NYS Dept. of State Coastal Management Program, Waterfront Implementation Grant	\$10,000 grant
*St. Lawrence - E. Ontario Commission (in-kind technical assistance)	5,000 match
*Village (cash and in-kind)	5,000 match
	<hr/>
	\$20,000 Total

c) Inner Morristown Bay Sedimentation/  
Eutrophication Control Study 3,000

d) Main Street Facade/Streetscape  
Improvements Study - 2,000

e) Additional Jurisdiction into the  
Harbor and Public-Private Participation 2,000

Although costs have not been estimated for these two implementation activities, the Village will undoubtedly need to obtain technical assistance or create a local coordinator position, possibly both.

## Town

### 1. Projects

#### a) Bicycling/Jogging Path

\*U.S. Dept. of Interior, National Park Service

Land and Water Conservation Fund 14,500 grant

\*Town (cash and in-kind) 14,500

\$29,000 Total

The town will also require technical assistance and/or a part-time coordinator for LWRP implementation. A shared administrative position with the village may be a reasonable and affordable approach.

## E. REVIEW OF PROPOSED STATE AND FEDERAL ACTIONS

The Town and Village will review proposed State and Federal actions within the waterfront area in accordance with procedures established by the New York State Department of State. Such procedures are set forth in Appendices A and B.

TABLE 1

### SUMMARY OF LWRP POLICY IMPLEMENTATION

#### IMPLEMENTATION MEASURES

#### POLICIES IMPLEMENTED

### 1. Local Laws and Regulations

#### Village

#### a. Land Use Code

#### (1) Part I, Building and Sanitary Regulations..

1,1A-1D, 5, 5A, 5B,  
7,7A,7B,7C,8,  
11-17A

	(flooding), 25A, 30, 33, and 38.
(2) Part II, Subdivision Regulations.....	1C, 5, 5A 5B 7, 7A, 7B, 7C, 8, 19, 25, 30, 32, 33, 38
(3) Part II, Zoning Regulations (with amendments)	(all applicable policies)
b. Village Dangerous or unsafe Structures Ordinance.....	1, 1A-1D, 18, 18A, 25, 25A
c. Village Ordinance 65-1.....	1, 1A-1D, 5A, 7a, 7B 7C, 8, 18, 18A, 23, 23A.
d. LWRP Consistency Law.....	(all applicable policies)
<u>Town</u>	
a. Town Waterfront Area Site Plan Review.....	(all applicable policies)
b. Town Mobile Home/Campground Regulations.....	1, 5, 5A 5B, 25, 25A, 32, 38.
c. LWRP Consistency Law.....	(all applicable policies)
2. Other Local Government Actions	
<u>Village</u>	
a. Comprehensive Traffic and Parking Study.....	1, 1A-D, 2, 2A, 2B, 4, 4A, 5, 5A, 18, 18A.
b. Harbor Management Plan.....	1, 1A, 1B, 2, 2A, 2B 4, 4A, 5, 5A, 5B, 7A, 7B, 7C, 8, 9, 11-17A, 18, 18A, 19, 19A, 20, 20a, 21, 21A, 22, 22A, 23,



	23a, 24, 25, 25A, 30-35, 37, 38, 44
c. Inner Morristown Bay Sedimentation/ Eutrophication Control Study.....	2,2A, 2B, 4, 4A, 5, 5A, 7A, 7B, 7C, 8, 9, 11, (Upland Erosion), 18, 18A, 25, 25A, 30-35, 37, 38, 44
d. Main Street Facade/Streetscape Improvements Study.....	1, 1B, 5, 5A, 18, 18A, 23, 23A, 25, 25A
e. Additional Jurisdiction into the Harbor.....	1, 1A, 2, 2A, 2B, 4, 4A, 18, 18A, 24, 25
f. Public-Private Participation.....	(all applicable policies)
g. Other Implementation Activities.....	(all applicable policies)

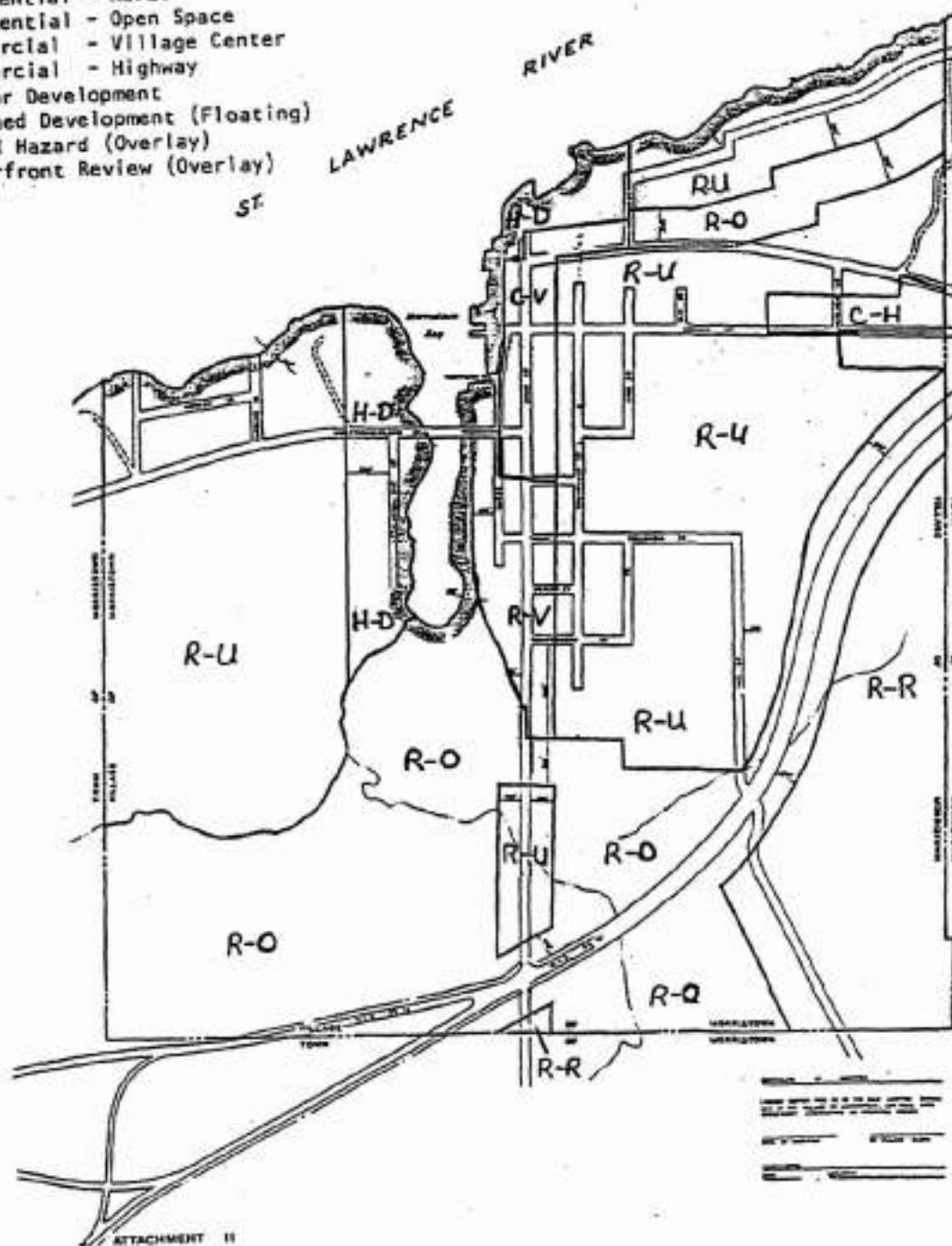
#### Town

a. Creation of a Town Planning Board.....	(all applicable policies)
b. Other Implementation Activities.....	(all applicable policies)
3. Management Structure.....	(all applicable policies)
4. Compliance Procedures.....	(all applicable policies)
5. Federal and State Consistency.....	(all applicable policies)
6. Financial Resources.....	(all applicable policies)

Figure 12

Proposed Zoning Map

- R-V Residential - Village Center
- R-U Residential - Urban
- R-R Residential - Rural
- R-O Residential - Open Space
- C-V Commercial - Village Center
- C-H Commercial - Highway
- H-D Harbor Development
- P-D Planned Development (Floating)
- F-H Flood Hazard (Overlay)
- W-R Waterfront Review (Overlay)



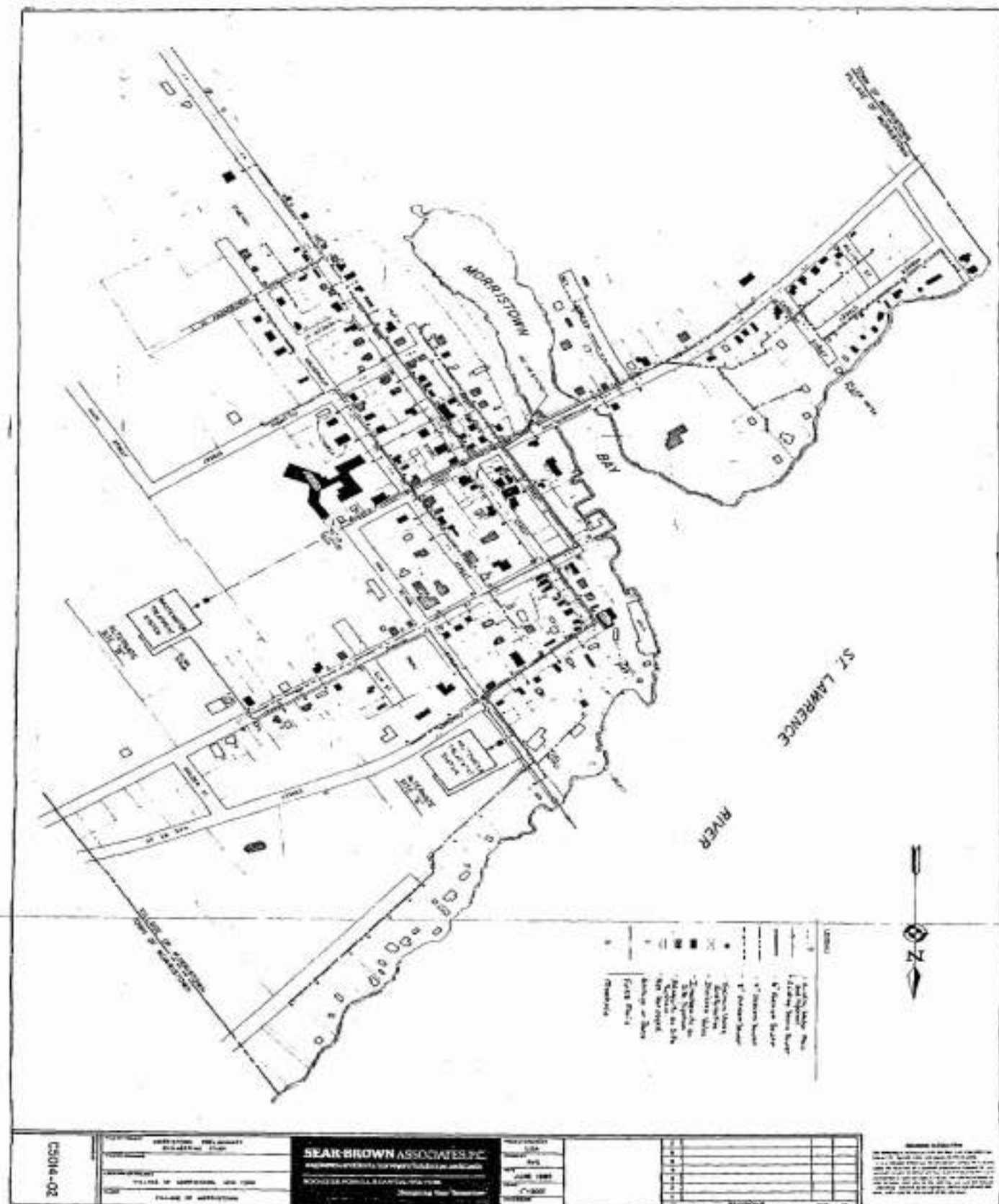


Plate 12: Wastewater Collection & Treatment System

**SECTION VI**

**STATE AND FEDERAL ACTIONS AND  
PROGRAMS LIKELY TO AFFECT IMPLEMENTATION**

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the U.S Coastal Zone Management Act, certain State and Federal 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 and Federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State and Federal agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. Similarly, Federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. The lists of State and Federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State and Federal consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State and Federal agency actions which are necessary to further implementation of the LWRP. It is recognized that a State or Federal 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 can not be used to require a State or Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State and Federal assistance needed to implement the LWRP.



**A. State and Federal Actions and Programs Which Should Be Undertaken in a Manner Consistent with the LWRP**

**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 programs.
- 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 License
- 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 ALCOHOL ABUSE**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Letter Approval for Certificate of Need
  - 2.02 Operating Certificate (Alcoholism Facility)
  - 2.03 Operating Certificate - Community Residence
  - 2.04 Operating Certificate (Outpatient Facility)
  - 2.05 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.

#### **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

#### DEPARTMENT OF COMMERCE

- 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.

#### DEPARTMENT OF CORRECTIONAL SERVICES

- 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 Certificate 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 Wholesaler of Drugs and/or Devices
  - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
  - 2.08 Storekeeper's Certificate

## ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

## 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:

- 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
- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities.
- 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 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.22 Floating Object Permit
- 9.23 Marine Regatta Permit
- 9.24 Mining Permit
- 9.25 Navigation Aid Permit
- 9.26 Permit to Plug and Abandon (a non-commercial oil, gas or solution mining well)
- 9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
- 9.30 Underground Storage Permit (Gas)
- 9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)
- 9.32 Digger's Permit (Shellfish)
- 9.33 License of Menhaden Fishing Vessel
- 9.34 License for Non-Resident Food Fishing Vessel
- 9.35 Non-Resident Lobster Permit
- 9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.37 Permits to Take Blue-Claw Crabs
- 9.38 Permit to Use Pond or Trap Net
- 9.39 Resident Commercial Lobster Permit
- 9.40 Shellfish Bed Permit
- 9.41 Shellfish Shipper's Permits
- 9.42 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.43 Approval - Drainage Improvement District
- 9.44 Approval - Water (Diversions for) Power
- 9.45 Approval of Well System and Permit to Operate
- 9.46 Permit - Article 15, (Protection of Water) - Dam
- 9.47 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
- 9.48 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.49 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.50 Permit - Article 15, Title 15 (Water Supply)
- 9.51 Permit - Article 24, (Freshwater Wetlands)
- 9.52 Permit - Article 25, (Tidal Wetlands)
- 9.53 River Improvement District approvals
- 9.54 River Regulatory District approvals
- 9.55 Well Drilling Certificate of Registration
- 9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.57 Septic Tank Cleaner and Industrial Waste Collector Permit
- 9.58 Approval of Plans for Wastewater Disposal Systems
- 9.59 Certificate of Approval of Realty Subdivision Plans
- 9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)

- 9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.62 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.64 Permit Granted (for Use of State Maintained Flood Control Land)
- 9.65 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.66 401 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.

#### 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 and grants or easement of land under water, 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.

#### 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 HOUSING 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 Area Revitalization Program

- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Urban Initiatives Grant Program
- 2.09 Low Income Housing Trust Fund

- 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 OF MENTAL RETARDATION AND 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.

OGDENSBURG BRIDGE AND PORT 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.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commissions)

- 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 programs.

10.00 Urban Cultural Parks Program.

#### 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 SOCIAL 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 STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 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.

## DIVISION OF 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(Substances Abuse Services Program)

## THOUSAND ISLANDS BRIDGE 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.

## 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) Barge Canal
  - (e) 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 Permits for Use and Occupancy of N.Y. State Canal Lands [except Regional Permits (Snow Dumping)]
  - 4.10 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 and 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 residential, commercial, industrial and civic facilities and the provision of technical assistance or funding for such activities, including, but not limited to, actions under its discretionary economic development programs.
- 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 and the funding or approval of such activities.

#### 2. Federal Agencies

#### DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

#### DEPARTMENT OF COMMERCE

#### National Marine Fisheries Services

#### 1.00 Fisheries Management Plans

## DEPARTMENT OF DEFENSE

### Army Corps of Engineers

- 1.00 Proposed authorizations for dredging, channel improvements, breakwaters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.
- 2.00 Land acquisition for spoil disposal or other purposes.
- 3.00 Selection of open water disposal sites.

### Army, Navy and Air Force

- 4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- 5.00 Plans, procedures and facilities for landing or storage use zones.
- 6.00 Establishment of impact, compatibility or restricted use zones.

## DEPARTMENT OF ENERGY

- 1.00 Prohibition orders.

## GENERAL SERVICES ADMINISTRATION

- 1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.
- 2.00 Disposition of Federal surplus lands and structures.

## DEPARTMENT OF INTERIOR

### Fish and Wildlife Service

- 1.00 Management of National Wildlife refuges and proposed acquisitions.



National Park Service

- 2.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, Conrail

- 1.00 Expansions, curtailments, new construction, upgradings or abandonments of railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

- 2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- 3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- 4.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lanes and ice management practices and activities.

Federal Aviation Administration

- 5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

- 6.00 Highway construction.

St. Lawrence Seaway Development Corporation

- 7.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

## FEDERAL LICENSES AND PERMITS

### DEPARTMENT OF DEFENSE

#### Army Corps of Engineers

- 1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).
- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- 5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

### DEPARTMENT OF ENERGY

#### Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- 2.00 Exemptions from prohibition orders.

### Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(l), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(l), 797(l) and 808).
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

### ENVIRONMENTAL PROTECTION AGENCY

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

### DEPARTMENT OF INTERIOR

#### Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

#### Mineral Management Service

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

#### INTERSTATE COMMERCE COMMISSION

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

#### NUCLEAR REGULATORY COMMISSION

- 1.00 **Licensing and certification of the siting, construction and operation of nuclear power plans pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.**

#### DEPARTMENT OF TRANSPORTATION

##### Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

##### Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

## FEDERAL ASSISTANCE\*

### DEPARTMENT OF AGRICULTURE

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

### DEPARTMENT OF COMMERCE

- 11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development - Business Development Assistance
- 11.302 Economic Development - Support for Planning Organizations
- 11.304 Economic Development - State and Local Economic Development Planning
- 11.305 Economic Development - State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support



- 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance - Homes
- 14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance - Land Development and New Communities
- 14.126 Mortgage Insurance - Management Type Cooperative Projects
- 14.127 Mortgage Insurance - Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

#### DEPARTMENT OF INTERIOR

- 15.400 Outdoor Recreation - Acquisition, Development and Planning
- 15.402 Outdoor Recreation - Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
- 15.411 Historic Preservation Grants-In-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology - Assistance to State Institutes
- 15.592 Water Research and Technology - Matching Funds to State Institutes

#### DEPARTMENT OF TRANSPORTATION

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program

- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

#### GENERAL SERVICES ADMINISTRATION

- 39.002 Disposal of Federal Surplus Real Property

#### COMMUNITY SERVICES ADMINISTRATION

- 49.002 Community Action
- 49.011 Community Economic Development
- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

#### SMALL BUSINESS ADMINISTRATION

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

#### ENVIRONMENTAL PROTECTION AGENCY

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.426 Water Pollution Control - State and Area-wide Water Quality Management Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants

66.600 Environmental Protection Consolidated Grants Program Support  
Comprehensive Environmental Response, Compensation and  
Liability (Super Fund)

\*Numbers refer to the Catalog of Federal Domestic Assistance  
Programs, 1980 and its two subsequent updates.

## **B. STATE AND FEDERAL ACTIONS AND PROGRAMS NECESSARY TO FURTHER THE LWRP**

### **STATE AGENCIES**

#### **DEPARTMENT OF COMMERCE**

1. Any action or provision of funds for the development of tourism related activities or development.
2. Any action involving the Seaway Trail.

#### **DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

1. Planning, development, construction, major renovation, or expansion of facilities in the waterfront, including recreational improvement projects.
2. Approval of plans and specifications for Wastewater Treatment Facilities.
3. Review of any actions proposed for the management of sedimentation and eutrophication in inner Morristown Bay.
4. Review of any actions proposed for the development of public boat launch and dock facilities in Morristown Bay.

#### **DIVISION OF HOUSING AND COMMUNITY RENEWAL**

1. Approval of funding for Rural Area Revitalization Program Projects.
2. Provision of technical assistance for facade/streetscape rehabilitation design through the SHARP program.

#### **JOB DEVELOPMENT AUTHORITY**

1. Provision of low interest mortgage loans to local nonprofit development corporations to finance commercial and industrial facilities.

#### **OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
2. Provision of funding for State and local activities from the Land and Water Conservation Fund.
3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Review and approval for local 1500 ft. jurisdiction over the waters of Morristown Bay pursuant to 46(a) of Article 4 of the State Navigation Law.
5. Provision of funding for State and local historic preservation activities.

#### DEPARTMENT OF STATE

1. Provision of funding under the Community Services Block Grant Program.

#### ST. LAWRENCE-EASTERN LAKE ONTARIO COMMISSION

1. Review of waterfront projects.
2. Provision of funds and/or technical assistance for the implementation of the LWRP.
3. Administration of funds and/or technical assistance which encourages the preservation, enhancement and development of natural and manmade coastal resources in Morristown section of the St. Lawrence River.

#### COUNCIL ON THE ARTS.

1. Provision of funding assistance for restoration of the Old Stone Windmill.

#### BLACK RIVER-ST. LAWRENCE REGIONAL PLANNING BOARD

1. Coordination of review with village and Department of State projects within the waterfront area.

#### DEPARTMENT OF TRANSPORTATION

1. Assistance for street repairs through the Consolidated Highway Improvements Program.
2. Provision of funding assistance and design for the Main Street bridge removal.

#### OFFICE OF GENERAL SERVICES

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

#### FEDERAL AGENCIES

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### Office of the Assistant Secretary for Community Planning and Development

1. Funding under the Community Development Block Grant program for wastewater collection and treatment facilities.
2. Funding under the Community Development Block Grant Program for improvements in the waterfront.



## DEPARTMENT OF DEFENSE

### Corps of Engineers, Buffalo District

1. Review of any proposed action regarding management of sedimentation and eutrophication in inner Morristown Bay.
2. Review of any proposed action regarding public boat launch and dock facilities in Morristown Bay.
3. Review of proposed local 1500 ft. jurisdiction over the waters of Morristown Bay.

## DEPARTMENT OF INTERIOR

### National Park Service

1. Provision of funding under the Land and Water Conservation Fund program.

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

1. Continuation of Incentives for Qualified Building Rehabilitation.
2. Provision of appropriate tax-exempt status for non-profit agencies active in the coastal area.

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

1. Provision of funding for the Main Street Bridge renewal.

### United States Coast Guard

1. Maintenance/rehabilitation of facilities.
2. Review of proposed local 1500 ft. jurisdiction over the waters of Morristown Bay.

**SECTION VII**  
**CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE**  
**AND REGIONAL AND LOCAL AGENCIES**

A variety of government agencies and local organizations have been consulted during the preparation of this Local Waterfront Revitalization Program. Consultation during the preparation of the draft LWRP involved correspondence, telephone contacts and/or meetings with representatives of those agencies and organizations most likely to affect or be affected by the program. The list provided below identifies the agencies and organizations consulted.

#### **A. FEDERAL AGENCIES**

Department of Commerce

National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management

Department of Agriculture

- Soils Conservation Service
- Farmers Home Administration

Department of Defense

- U.S. Army Corps of Engineers

Department of Housing and Urban Development

Department of Interior

- National Park Service

Department of Transportation

- U.S. Coast Guard
- St. Lawrence Seaway Development Corporation

#### **B. STATE AGENCIES**

Department of Agriculture and Markets

Department of Commerce

Department of Environmental Conservation

Department of Health

Division of Housing and Community Renewal

Office of Parks, Recreation and Historic Preservation

Department of State

State University of New York

- College of Environmental Science and Forestry, Syracuse

Department of Transportation

**C. LOCAL AGENCIES OR GROUPS**

Village of Morristown

- Village Board of Trustees
- Superintendant of Public Works
- Planning Board

Town of Morristown

- Town Board
- Highway Superintendant

Village/Town Waterfront Advisory Committee

Morristown Foundation

Greater Morristown Area Chamber of Commerce

Town of Hammond

Town of Oswegatchie

St. Lawrence Valley Council

St. Lawrence County Planning Board

St. Lawrence County Fisheries Advisory Board

St. Lawrence County Environmental Management Council

St. Lawrence County Chamber of Commerce

Adirondack North Country Association

**SECTION VIII**  
**LOCAL COMMITMENT**



## SECTION VIII – LOCAL COMMITMENT

Developing a solid community commitment to the LWRP and the coastal policies established therein is essential to ensure the program's implementation. Because the LWRP also represents a partnership between public and private initiatives, coordination with and commitment of local business interests is important, too. This section describes the procedures and methods used or to be used by the town and village to foster public participation in development of the LWRP and commitment for its ultimate implementation.

Waterfront Advisory Committee (WAC) - An advisory committee (formed early in 1983 and expanded to 18 members during the winter of 1984-85) provided a continuing means of garnering public participation and cooperation between the public and private sectors. Membership in the committee included town and village officials, local businessmen, representatives of the Morristown Foundation and the newly organized Chamber of Commerce, and other citizens of the two communities. The WAC met 6 to 10 times per year during 1984, 1985 and 1986.

Village Planning Board - Input from the Village Planning Board was obtained during 1985 and 1986 as the WAC addressed Sections IV and V of the program. Planning Board members assisted in determining future land and water uses, waterfront projects and regulatory means for implementing the coastal policies of Section III.

Other Public Participation - The views and plans of private landowners and local business entrepreneurs were solicited to ensure coordination and cooperation as the LWRP was developed. Specific input was obtained from the Morristown Foundation and the Greater Morristown Area Chamber of Commerce. In addition to the WAC meetings being open to the general public, a public information meeting was held to invite input on the drafted materials for Sections I-V.

Local Initiatives - Commitment to the LWRP has been demonstrated by a number of early local initiatives pertaining to projects or management activities proposed during the preparation of the draft program. Such initiatives are listed below.

1. Pursuit of funding for wastewater collection and treatment facilities. (village)
2. Design of wastewater collection system to accommodate future development of the harbor area in concert with LWRP proposed land and water uses. (village)
3. Removal of the old ferry dock and installation of new floating docks according to Phase I plans for the shoreline park. (village)

4. Drafting of regulations to implement the LWRP. (Village)
5. Construction work for the cottage road improvements. (Town)

Draft LWRP - Following completion of the draft program, the WAC formally approved the draft and, by resolution, forward it to the Village and Town Boards. Following approval by the Village and Town Boards, the draft document was submitted to the NYS Department of State for approval.

**APPENDIX A**

**NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM**

Guidelines for Notification and Review of State Agency Actions Where Local Waterfront  
Revitalization Programs are in Effect

A. **PURPOSES OF GUIDELINES**

1. The Waterfront Revitalization and Coastal Resources 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 approved Local Waterfront Revitalization Programs (LWRPs). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.
2. The Act also requires that state agencies provide timely notice to the situs local government whenever an identified action will occur within an area covered by an approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist local governments in carrying out their review responsibilities in a timely manner.
3. The Secretary of the State is required by the Act to confer with state agencies and local governments when notified by a local government that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

B. **DEFINITIONS**

1. Action means:
  - a. A "Type 1" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQR);
  - b. Occurring within the boundaries of an approved LWRP; and
  - c. 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 LWRP.
2. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of an approved 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 an approved LWRP, then the action must be one:
  - a. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;

- b. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
  - c. That will result in an overriding regional or statewide public benefit.
- 3. Local Waterfront Revitalization Program or LWRP means a program prepared and adopted by a local government 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.

**C. NOTIFICATION PROCEDURE**

- 1. When a state agency is considering an action as described in II above, the state agency shall notify the affected local government.
- 2. Notification of a purposed action by a state agency:
  - a. Shall fully describe the nature and location of the action;
  - b. Shall be accomplished by use of either the State Clearinghouse, other existing state agency notification procedures, or through an alternative procedure agreed upon by the state agency and local government;
  - c. Should be provided to the local official identified in the LWRP of the situs local government as early in the planning states 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 with the local LWRP official should be considered adequate notification of a proposed action.)
- 3. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the chief executive officer can serve as the state agency's notification to the situs local government.

**D. LOCAL GOVERNMENT REVIEW PROCEDURE**

- 1. Upon receipt of notification from a state agency, the situs local government will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon request of the local official identified in the LWRP, the state agency should promptly provide the situs local government with whatever additional information is available which will assist the situs local government to evaluate the proposed action.

2. If the situs local government cannot identify any conflicts between the proposed action and the applicable policies and purposes of its approved LWRP, it should inform the state agency in writing of its finding. Upon receipt of the local government's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
3. If the situs local government does not notify the state agency in writing of its 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 municipality's approved LWRP.
4. If the situs local government notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved 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 below shall apply. The local government 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 local government shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

**E. RESOLUTION OF CONFLICTS**

1. The following procedure applies whenever a local government has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP:
  - a. Upon receipt of notification from a local government that a proposed action conflicts with its approved LWRP, the state agency should contact the local LWRP official to discuss the content of the identified conflicts and the means for resolving them. a meeting of state agency and local government 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 local government.
  - b. If the discussion between the situs local government and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the situs local government 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. The state agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.



- c. If the consultation between the situs local government 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 within 15 days following the discussion between the situs local government 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.
- d. 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 situs local government.
- e. 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.
- f. The stage 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.

**APPENDIX B**

**GUIDELINES FOR COORDINATING REVIEWS OF**

**PROPOSED FEDERAL ACTIONS**

**Procedural Guidelines for Coordinating NYS DOS & LWRP  
Consistency Review of Federal Agency Actions**

**A. DIRECT ACTIONS**

1. After acknowledging the receipt of a consistency determination and supporting documentation from a federal agency, DOS will forward copies of the determination and other descriptive information on the proposed action to the program coordinator (of an approved LWRP) and other interested parties.
2. This notification will indicate the date by which all comments and recommendations must be submitted to DOS and will identify the Department's principal reviewer for the proposed action.
3. The review period will be about twenty-five (25) days. If comments and recommendations are not received by the date indicated in the notification, DOS will presume that the municipality has "no opinion" on the consistency of the proposed direct federal agency action with local coastal policies.
4. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the municipality to discuss any differences of opinion or questions prior to agreeing or disagreeing with the federal agency's consistency determination on the proposed direct action.
5. A copy of DOS' "agreement" or "disagreement" letter to the federal agency will be forwarded to the local program coordinator.

**B. PERMIT AND LICENSE ACTIONS**

1. DOS will acknowledge the receipts of an applicant's consistency certification and application materials. At that time, DOS will forward a copy of the submitted documentation to the program coordinator and will identify the Department's principal reviewer for the proposed action.
2. Within thirty (30) days of receiving such information, the program coordinator will contact the principal reviewer for DOS to discuss: (a) the need to request additional information for review purposes; and (b) any possible problems pertaining to the consistency of a proposed action with local coastal policies.
3. When DOS and the program coordinator agree that additional information is necessary, DOT will request the applicant to provide the information. A copy of this information will be provided to the program coordinator upon receipt.

4. Within thirty (30) days of receiving the requested additional information or discussing possible problems of a proposed action with the principal reviewer for DOS, whichever is later, the program coordinator will notify DOS of the reasons why a proposed action may be inconsistent or consistent with local coastal policies.
5. After the notification, the program coordinator will submit the municipality's written comments and recommendations on a proposed permit action to DOS before or at the conclusion of the official public comment period. If such comments and recommendations are not forwarded to DOS by the end of the public comment period, DOS will presume that the municipality has "no opinion" on the consistency of the proposed action with local coastal policies.
6. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality on a proposed permit action, DOS will contact the program coordinator to discuss any differences of opinion prior to issuing a letter of "concurrence" or "objection" letter to the applicant.
7. A copy of DOS' "concurrence" or "objective" letter to the applicant will be forwarded to the program coordinator.

#### **C. FINANCIAL ASSISTANCE ACTIONS**

1. Upon receiving notification of a proposed federal financial assistance action, DOS will request information on the action from the applicant for consistency review purposes. As appropriate, DOS will also request the applicant to provide a copy of the application documentation to the program coordinator. A copy of this letter will be forwarded to the coordinator and will serve as notification that the proposed action may be subject to review.
2. DOS will acknowledge the receipt of the requested information and provide a copy of this acknowledgment to the program coordinator. DOS may, at this time, request the applicant to submit additional information for review purposes.
3. The review period will conclude thirty (30) days after the date on DOS' letter of acknowledgement or the receipt of requested additional information, whichever is later. The review period may be extended for major financial assistance actions.
4. The program coordinator must submit the municipality's comments and recommendations on the proposed action to DOS within twenty days (or other time agreed to by DOS and the program coordinator) from the start of the review period. If comments and recommendations are not received within this period, DOS will presume that the municipality has "no opinion" on the consistency of

the proposed financial assistance action with local coastal policies.

5. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the program coordinator to discuss any differences of opinion or questions prior to notifying the applicant of DOS' consistency decision.
6. A copy of DOS' consistency decision letter to the applicant will be forwarded to the program coordinator.