



Waterfront Advisory Committee

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WATERFRONT ADVISORY COMMITTEE

To: Mayor Wiegman and the Board of Trustees

From: Charlie Kane, Waterfront Advisory Committee Chair

CC: Abe Zambrano
Janine King
Paula DiSanto
Dan O'Connor
WAC Committee

Subject: Referral from Village Board regarding circulation of Local Law Introductory No. 3 of 2010 – October 2011 version (Draft Law) to repeal Local Law No. 4 of 2009 and enact zoning code provisions to expand the Harmon/South Riverside Gateway area and to modify the regulations for that area to encourage commercial development by facilitating market rate mixed use of properties (the “Proposed Action”) – preliminary consistency review

Date: November 21, 2011

On November 10, 2011, the Waterfront Advisory Committee (WAC) reviewed for preliminary consistency with the Village's Local Waterfront Revitalization Program (LWRP) the above-referenced referral from the Village Board. By a vote of 4-0, the WAC made a preliminary determination of consistency with the LWRP. Chairman Kane, Ms. Gallelli, Mr. Kauderer, and Mr. Murtaugh were present.

In reviewing the Coastal Assessment Form (CAF), dated October 12, 2011, it was noted that the committee recommends no changes to this document. In reviewing the Environmental Assessment Form, parts 1 and 2, the WAC members unanimously agreed that they recommend no changes to this document. The committee reviewed the Addendum to the Environmental Assessment Form Part 3, dated 10/12/11 and recommends no changes to this document.

The WAC evaluated this referral for consistency in accordance with the LWRP policy standards and conditions set forth in section 225-6(J) of the Village Code, which are further explained and described in Section III of the LWRP. The WAC members reviewed each of the 44 policies in

the LWRP and believes that the policies not specifically listed below are not applicable to this proposed Local Law.

Policy 1A: Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies.

This policy is relevant because a review of planning and zoning documents is necessary in order to make any modifications to regulations. The proposed action is consistent with this policy because in the review and amendment of the zoning code there is the potential to improve the opportunities for multiple uses in the Harmon/South Riverside Gateway area, and potentially to improve the existing economic base of the community.

Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.

Policy 5A: When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.

Policies 5 and 5A are applicable because the proposed zoning changes are for the expansion of the Harmon/South Gateway District where existing public services are in place. The proposed action is consistent with these policies because any future development resulting from the zoning changes will be where existing public services are and would potentially increase the productivity of existing public services.

Policy 5C: Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.

This policy is relevant because the proposed zoning change may result in future development with associated traffic. The development would occur in the Harmon/South Riverside Gateway Overlay District which is not one of the areas listed above as having potential site distance and carrying capacity restrictions. Therefore, the proposed action is consistent because the proposed zoning changes are limited to a small section of the Village in which the two main streets are South Riverside Ave. and Croton Point Ave.

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.

This policy is applicable because of the potential for new and expanded buildings in the Harmon/South Riverside Gateway Overlay District. Although the proposed action is for zoning changes and not for specific building projects, the zoning changes will provide opportunities for projects in the future. The Harmon/South Riverside Gateway Overlay District is not impacted by a mapped flood zone; it is also not subject to erosion that would damage property or endanger human lives. Any development in the district would be subject to the Village's storm water

regulations which would include measures to limit erosion and sediment transport during construction. Therefore, the proposed action is consistent with this policy since no damage due to flooding or erosion is expected.

It is for the reasons contained in this memorandum that the WAC issues its preliminary recommendation of consistency.

CK:rr