



Waterfront Advisory Committee

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KAREN STAPLETON

TO: Mayor Brian Pugh and the Village Board of Trustees

FROM: Chairman Simon, Waterfront Advisory Committee

RE: Referral from Village Board for a Local Waterfront Revitalization Program (LWRP) Consistency review for Local Law Introductory 7 of 2024, amending Chapter 230, of the Code of the Village of Croton on Hudson to add new Article IVB, Indian Brook – Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD), CAF and EAF.

DATE: May 21, 2024

On May 20th, 2024, the Waterfront Advisory Committee (WAC) reviewed for consistency with the Village's Local Waterfront Revitalization Program (LWRP) the referral listed above. Based on the Committee's review of the 44 LWRP policies, the Waterfront Advisory Committee made a recommendation of consistency with the LWRP.

The WAC reviewed the Coastal Assessment Form and no changes were noted.

The WAC reviewed the Short Environmental Assessment Form and no changes were noted.

The committee reviewed the 44 LWRP policies and determined that the following policies were relevant:

POLICY 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.

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.

POLICY 7: Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

POLICY 7A The quality of the Croton River and Bay Significant Coastal Fish and Wildlife Habitat and Havestraw Bay Significant Fish and Wildlife Habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. It's resources shall be protected from the threat of pollution, misuse, and mismanagement.

POLICY 7B: Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay Significant Fish and Wildlife Habitat and the Havestraw Bay Significant Fish and Wildlife Habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.

POLICY 7C: Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay Significant Fish and Wildlife Habitat or Havestraw Bay Significant Fish and Wildlife Habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.

POLICY 7D: Restoration of degraded ecological elements of the Croton River and Bay and Havestraw Bay Significant Fish and Wildlife Habitats and shorelands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.

POLICY 7E: Runoff from public and private parking lots and from storm sewer overflows shall be effectively managed so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact to the significant fish and wildlife habitats.

POLICY 7F: Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity in the Croton River and Hudson River spawning areas shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.

POLICY 7G: Construction activity of any kind must not cause significant degradation of water quality or impact identified significant fish and wildlife habitats.

POLICY 7H: Habitat-related policies identified in the Indian Brook-Croton Gorge Watershed Conservation Action Plan will be considered in actions proposed for these areas (see Appendix C).

POLICY 8: Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub-lethal or lethal effect on those resources.

POLICY 9A: Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the railroad parking lot, at Croton Point Park, at Senasqua and Croton Landing Parks, along the Croton River, and at the Croton Yacht Club. Efforts should be made to increase opportunities for public access and enjoyment in these areas.

POLICY 9B: Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audobon Society sanctuaries, Jane Lytle Arboretum, Gouveia Park and on other public or private lands within the Village where wildlife habitats are located, as well as the protection of such resources.

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

POLICY 19A: Encourage the linkage of open space from upland areas to and along the Hudson and Croton Rivers in the form of a trail or walkway system.

POLICY 19 B: Increase public access to areas that offer physical and visual connection to the Hudson River or Croton River and Bay.

POLICY 19D: Improve and maintain access to Croton River and Bay at the Village owned Echo Canoe Launch south of the Village parking lots at the Croton Harmon Station.

POLICY 21A: Boating and fishing activities should be encouraged provided that they do not restrict other water-related recreational opportunities and are undertaken in a manner compatible with existing water-dependent uses.

POLICY 25A: Establish and protect identified public viewsheds of the Hudson River, including, but not limited to the public views of the Hudson River from the western shoreline of the Village, and of the Croton River and Gorge.

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.

POLICY 33: Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

POLICY 33A: The flow of stormwater discharge shall be controlled to limit the flow of pollutants from street and parking areas, etc. directly into the rivers and water bodies.

POLICY 37A: Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction.

POLICY 38: The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

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.

POLICY 44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

POLICY 44A: Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.

LWRP Section IV

POLICY 1: Ensure Maintenance of New Croton Dam Conservation Flow.

Maintaining natural river flows below water supply reservoirs is inherently complicated, and requires a difficult balance between human demands and sustainable flows to conserve a river's ecological health.

POLICY 2: Address Drainage Systems That Lead to Erosion on Steep Slopes.

The objective of this project is to promote activities that will control soil erosion and sedimentation caused by stormwater runoff. These issues are most significant along the steep banks of the Croton River Gorge.

The WAC believes that the adoption of a local law to establish the Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD) will provide additional protections for the Croton River and its watershed.

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