



Waterfront Advisory Committee

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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 5 of 2025 to amend Chapter 227,
Wetlands, and Chapter 230, Zoning, of the Village Code to update provisions related to trees.

DATE: May 9, 2025

On May 5, 2025, 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 Short Environmental Assessment Form and determined that there were no changes necessary.

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

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

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. Its 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 Haverstraw 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 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. Consturction 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 7H: Habitat-related policies identified in the Indian Brook-Croton Gorge Watershed Conservation Action Plan will be considered in actions proposed for these areas.

POLICY 9B: Encourage passive recreational enjoyment of the woldlife 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 12: Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

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.

POLICY 17A: Efforts to control erosion along the rivers and on the steep slopes inland shall be of a non-structural nature, wherever possible, to minimize the visual impact of structural measures.

POLICY 19: 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 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. (The following scenic areas were noted in the LWRP as having local and regional significance: (1) Distinctive and scenic views of Croton Point, (2) Views of the Hudson River from South Riverside Avenue and Route 9 corridor, and (3) Vegetated slopes and undisturbed redgelines particularly those in the viewsheds in the Croton Gorge, River and Bay areas.)

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. (The following scenic areas were noted in the LWRP as having local and regional significance: (1) Distinctive and scenic views of Croton Point, (2) Views of the Hudson River from South Riverside Avenue and Route 9 corridor, and (3) Vegetated slopes and undisturbed ridgelines particularly those in the viewsheds in the Croton Gorge, River, and Bay areas.

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 and quantity of surface water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply..

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 situation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.

The committee also reviewed the 11 LWRP Section IV policies and determined that the following policy is relevant:

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 felt that the revisions to Chapters 227, Wetlands, and 230, Zoning, related to trees maintain and enhance protection of the environment and therefore were connected to the policies listed above.

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