

Village of Sleepy Hollow

Local Waterfront Revitalization Program

**SLEEPY HOLLOW BUILDING CORP
28 BECKMAN AVENUE
SLEEPY HOLLOW, NY 10590**

Adopted:

Village of Sleepy Hollow Board of Trustees and Mayor, November 19, 1996

Approved:

NYS Secretary of State, Alexander F. Treadwell, June 5, 1997

Concurred:

U.S. Office of Ocean and Coastal Resource Management, July 14, 1997

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 of 1990 (Executive Law, Article 42) and its implementing regulations (6 NYCRR 601 and 603). 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, 41 State Street, Albany, New York 12231-0001.

NEW YORK STATE DEPARTMENT OF STATE
DIVISION OF COASTAL RESOURCES AND WATERFRONT REVITALIZATION
41 STATE STREET, ALBANY, NEW YORK 12231-0001



STATE OF NEW YORK
DEPARTMENT OF STATE
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL
SECRETARY OF STATE

June 6, 1997

Honorable Sean Treacy
Mayor
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Treacy:

It is with great pleasure that I inform you that I have approved the Village of Sleepy Hollow Local Waterfront Revitalization Program, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Everyone who participated in the preparation of this program is to be commended for developing a comprehensive management program that promotes the balanced preservation, enhancement, and utilization of the valuable resources of the coastal area.

I am notifying state agencies that I have approved your Local Waterfront Revitalization Program and am advising them that their activities must be undertaken in a manner consistent with the program, to the maximum extent practicable.

I look forward to working with you, as you endeavor to revitalize and protect your waterfront.

Sincerely,

A handwritten signature in cursive script, reading "Alexander F. Treadwell".

Alexander F. Treadwell

AFT:pmf



Sean Treacy, Mayor

TRUSTEES

Morris Alter
Jose A. Chevere, Jr.
Mario DiFelice
John T. Hayes, Jr.
Patricia P. Ramsey
Richard C. Sweet



Linda E. David
Administrator/Clerk

Janet A. Gandolfo
Village Counsel

Angela Everett
Deputy Village Clerk

Sanjay Shah
Treasurer

THE LEGEND LIVES!

February 10, 1997

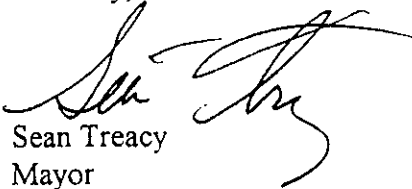
Honorable Alexander F. Treadwell
Secretary of State
New York State Department of State
41 State Street
Albany, New York 12231-0001

Dear Secretary Treadwell:

The Village of Sleepy Hollow Board of Trustees and Mayor formally adopted the Sleepy Hollow Local Waterfront Revitalization Program (LWRP) on November 19, 1996 and all associated implementing local laws on January 28, 1997. These actions were taken after having completed all environmental review procedures in accordance with the State Environmental Quality Review Act (SEQRA) and having addressed review comments received pursuant to Article 42 of the NYS Executive Law. Attached is a copy of the resolution passed in adopting all of the necessary implementing local laws, as well as the Village Board's SEQRA Findings Statement. In addition, a copy of all of the LWRP-related local laws that were adopted on January 28th have also been enclosed.

As the Mayor for the Village of Sleepy Hollow and on behalf of the entire Village, I respectfully request your consideration and approval of the Sleepy Hollow Local Waterfront Revitalization Program pursuant to Article 42 of the NYS Executive Law.

Sincerely,


Sean Treacy
Mayor
Village of Sleepy Hollow

ST/cz

cc: Board of Trustees





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Silver Spring, Maryland 20910

JUL 14 1997

George Stafford
Director
Division of Coastal Resources
and Waterfront Revitalization
41 State Street
Albany, New York 12231

Dear Mr. Stafford:

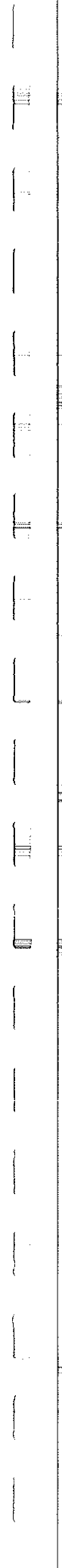
The Office of Ocean and Coastal Resource Management concurs with your request to incorporate the Village of Sleepy Hollow Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program as a Routine Program Change (RPC). We received comments from one Federal agency, which did not object to incorporating the LWRP as a RPC. This approval assumes you will make no further changes to the document in addition to the one submitted.

In accordance with the Coastal Management Regulations, 15 CFR 923.84, Federal Consistency will apply to the Village of Sleepy Hollow after you publish notice of our approval.

Sincerely,

Jeffrey R. Benoit
Director





Village Name Change

Pursuant to referendum held December 10, 1996, the Village of North Tarrytown duly changed the Village name to the Village of Sleepy Hollow. A certified resolution declaring the results of such election was filed with the New York State Secretary of State on December 16, 1996 in accordance with Village Law, Section 18-1800.



In Memorial Tribute to

Richard C. Sweet

In honor and recognition of the late Dr. Richard C. Sweet, whose contributions to the Village's Local Waterfront Revitalization Program were immeasurable.

The Village of Sleepy Hollow, in memorial tribute, wishes to recognize Richard Sweet for his foresight, steadfast leadership, conviction, and personal commitment for having actively participated in initiating the Village of Sleepy Hollow's Local Waterfront Revitalization Program, and for tirelessly pursuing its completion, culminating in its approval by the NYS Secretary of State in June 1997.

The Village of Sleepy Hollow's Local Waterfront Revitalization Program will be a tremendous and everlasting tribute to a man who cared deeply about the betterment of his community. Dr. Sweet was a man who compassionately and successfully lead the Village in its efforts to plan for a bright and prosperous future. He was a true leader. He leaves behind a wonderful legacy that will profoundly touch the lives of the people in Sleepy Hollow and beyond. The Village of Sleepy Hollow celebrates and honors Dr. Sweet's accomplishments. He, and all that he accomplished for the betterment of others, will never be forgotten.

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EXECUTIVE SUMMARY

Purpose. The purpose of a Local Waterfront Revitalization Program (LWRP) is to promote economic development and revitalization of the Village's local waterfront revitalization 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 of Title 19, 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). When a LWRP has been approved by the NYS Secretary of State its policies and purposes are substituted for those of the CMP.

Approach. The approach to managing the waterfront areas taken by New York State is significantly different from the approach used in other States. While State government can promote development and provide protection for critical resources, it is recognized that municipalities are in the best position to determine their own waterfront objectives and to adapt statewide approaches to specific local needs. Accordingly, the Department of State, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act, has encouraged waterfront communities to prepare their own Local Waterfront Revitalization Programs.

A Local Waterfront Revitalization Program (LWRP) is a comprehensive program that refines legislatively established waterfront policies by incorporating local circumstances and objectives. It is a voluntary grass roots effort which brings together local, State, and federal governments, commerce, environmental interests, private organizations, and community citizens to assess current circumstances and opportunities and constraints and to build a consensus on the desired future of the community's waterfront area. More important, the LWRP provides a strategy for achieving that vision.

In general, a LWRP is a detailed and realistic effort to promote and protect waterfront resources. By preparing a LWRP, a community has the opportunity to evaluate its waterfront resources and to develop and implement a management program for the best use and development of those resources. Decision makers will then be able to respond with increased knowledge and purpose to future events affecting their waterfront area and to actively pursue an agreed upon program.

The LWRP includes a comprehensive inventory and analysis of the community's waterfront area resources, issues, and opportunities. From this, the community can refine the 44 State Coastal Policies to better reflect local circumstances and issues. The local policies are included in Section III. One of the components of the LWRP is the identification of long term uses within the waterfront area and specific projects that will help to implement the policies and purposes of the Program. These are discussed in Section IV. These uses and projects, in conjunction with an established

management program, can significantly increase a community's ability to attract development activities that will take best advantage of the unique cultural and natural characteristics of the community. Techniques to implement the LWRP are discussed in Section V. This section addresses the ability of a community's existing local regulations to implement the LWRP and how these may be modified to implement the policies and proposed land uses outlined in Sections III and IV.

The opportunities for communities to tackle the issues and opportunities associated with its waterfront and nearshore water areas have been provided by amendments to Article 42 of the Executive Law. These provide local governments with the clear authority to comprehensively manage activities in harbor and nearshore areas through harbor management plans and associated laws. A harbor management plan addresses conflict, congestion, and competition for space in the use of a community's surface waters and underwater land. Article 42 provides consideration of and guidance and regulation on the managing of boat traffic, general harbor use, optimum location and number of boat support structures, such as docks, piers, moorings, pump-out facilities, special anchorage areas, and identification of local and federal navigation channels. It also provides the opportunity to identify various alternatives for optimum use of the waterfront and adjacent water surface, while at the same time analyzing the probable environmental effects of these alternatives.

As harbor management programs are now a required element of a LWRP, the Village of Sleepy Hollow has chosen to integrate the *Village of Sleepy Hollow Harbor Management Plan* into the LWRP. The harbor management plan considers many uses of Sleepy Hollow's water area. Section II discusses the many uses and issues associated with the Hudson River; Section III includes policies for harbor management; Section IV puts forward proposed water uses and identifies sites for water-dependent uses; Section V considers the need for local regulation to implement the *Village of Sleepy Hollow Harbor Management Plan*.

Steps. A draft LWRP was prepared following guidelines developed by the NYS Department of State. The draft LWRP provided an assessment of local waterfront conditions, identified policies applicable to those conditions, proposed future land and water uses and projects for the local waterfront area and described local means for implementing such policies, uses and projects. It also identified State and Federal agencies that would be affected by or would be needed to implement the program; indicated those government agencies and other organizations consulted during preparation of the program, and described measures taken to assure local commitment to program implementation. A draft generic environmental impact statement (EIS) was prepared for the local action of adopting the Local Waterfront Revitalization Program.

Next, the draft LWRP was submitted to the NYS Department of State with a resolution from the local governing body authorizing the submission. The Department of State, in turn, prepared a program summary and distributed 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 provided for public review and comment on both the draft LWRP and draft EIS.

The Department of State then assisted the Village with preparation of a final EIS and a final LWRP which addressed comments received on the draft EIS and the draft LWRP. When the Village Board adopted the LWRP and all local regulatory measures needed to implement the program, the NYS

Secretary of State and the U.S. Office of Ocean and Coastal Resource Management were 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 Village is similarly obligated by a local law they enacted, to assure consistency.

Summary of the Village of Sleepy Hollow LWRP

The six final sections of the Village of Sleepy Hollow 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 Village's local waterfront revitalization area.
- SECTION II INVENTORY AND ANALYSIS.** This section inventories and analyzes the Village's 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), land and water uses and important economic activities within the waterfront area. For each category inventoried, the analysis portion discusses problems, issues and/or opportunities addressed in other portions 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, 37 are explained as applicable while 7 are identified as not applicable. Accompanying the State policies are 56 local policies of the Village 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 identified for the Village's waterfront area.
- The Village has proposed fifteen (15) projects that will enhance, encourage, and contribute to the redevelopment of the entire Village. Projects range from municipal park improvements and coastal public access projects to major waterfront redevelopment initiatives.
- 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. It also describes new local laws which were specifically enacted to implement the program, such as amendments to the Village's Zoning Regulations and Architectural Review Law. In addition, the Village has enacted a Local Waterfront Revitalization Program Consistency Review Law that will provide a framework for agencies of the Village to consider the policies and purposes of the LWRP when reviewing applications for actions or direct agency actions located in the Village's waterfront area. In addition, the LWRP Consistency Review Law will assure that such actions and direct actions are consistent with the LWRP policies and purposes.

Other Village 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 the processes for 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 Village of Sleepy Hollow Local Waterfront Revitalization Program, and those whose actions would be needed for the local program's 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 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. An approved LWRP can help attract public and private investment in waterfront projects since it demonstrates a community's commitment to revitalization and resource protection, and contains conceptual plans for projects which make the development process more predictable and efficient. These plans help to convince funding entities and private developers that the projects are realistic and that money will be well spent and fits into a comprehensive plan that will ultimately protect the investment.
4. With an approved Local Waterfront Revitalization Program, the Village is eligible to apply for grant funding assistance through Title 11 of the NYS Environmental Protection Act of 1993 to assist with implementation of their LWRP.

Section I

Local Waterfront Revitalization Area Boundary

I. Local 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 Village of Sleepy Hollow waterfront area. Since the Village authority to implement a Local Waterfront Revitalization Program is confined to the area within its corporate limits, it is necessary to define the waterside (riverward) extent of the local waterfront area as well. The existing and proposed landward and waterside (riverward) boundaries are shown on Map 1A.

As part of the preparation of the Village of Sleepy Hollow Local Waterfront Revitalization Program (LWRP), the Village has reviewed the State designated coastal area boundary for the Village of Sleepy Hollow with regard to local waterfront conditions and objectives. This review considered:

- land uses that affect or are affected by waterfront issues, problems, and opportunities;
- natural and cultural resources with a physical, social, visual, or economic relationship to the waterfront and/or the coastal waters (Hudson River); and
- areas necessary for the achievement of policies in the LWRP.

The Village of Sleepy Hollow has determined that the boundary of the coastal area established by the NYS Department of State is appropriate with regard to the Village's local waterfront conditions and objectives. The waterfront revitalization area boundary of the Village of Sleepy Hollow therefore follows the Village's municipal boundary, including the entire Village in the policies, proposed land and water uses and projects outlined in the LWRP. The waterfront revitalization area boundary of the Village of Sleepy Hollow is illustrated on Map 1A.

Existing Landward Boundary

The following is an excerpt from the NYS Coastal Area Boundary Description for that area applicable to the Village of Sleepy Hollow:

".... through the Village of Ossining to Route 117; then eastward on Route 117 to the new Croton Aqueduct, then southerly on this aqueduct to White Plains Road; then easterly on White Plains Road to I-287; then west to the NYS Thruway;"

As evidenced from the above landward boundary description, the entire Village of Sleepy Hollow is within the NYS Coastal Area Boundary.

Existing Waterside Boundary

The existing waterside coastal area boundary for the Village of Sleepy Hollow is the same as the Village's existing municipal waterside boundary along the Hudson River. This boundary follows the shoreline of the Hudson River.