

# Village of Greenport Local Waterfront Revitalization Program

***Adopted:***

Village of Greenport Board of Trustees. September 29, 1988

***Approved:***

NYS Secretary of State Gail S. Shaffer. November 11, 1988

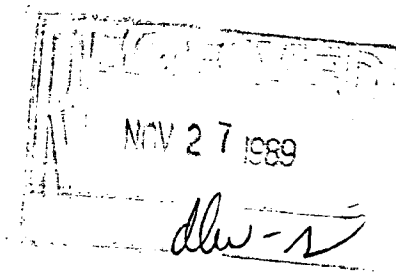
***Concurred:***

U.S. Office of Ocean and Coastal Resource Management. June 21, 1989



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

GAIL S. SHAFFER  
SECRETARY OF STATE



NOV. 17 1989

Mr. James Burgess, Chief  
Coastal Programs Division  
Office of Ocean and Coastal  
Resource Management  
1825 Connecticut Avenue, NW  
Washington, DC 20235

Dear Mr. Burgess:

Enclosed is the Village of Greenport Local Waterfront Revitalization Program (LWRP). The LWRP has been adopted by the municipality and approved by the New York State Secretary of State. In addition, your office has concurred on its incorporation into the State's Coastal Management Program as a routine program implementation action. Copies of this document are also being transmitted to State agencies, as well as selected federal, county, and local agencies.

Should you have any questions or concerns regarding this document, feel free to contact either myself or Charles McCaffrey of this office at (518) 474-9201.

Sincerely,

George R. Stafford  
Director  
Division of Coastal Resource  
and Waterfront Revitalization

GRS:gn

Enclosure

# Village of Greenport Local Waterfront Revitalization Program

Property of the Library

U. S. DEPARTMENT OF COMMERCE NOAA  
COASTAL SERVICES CENTER  
2234 SOUTH HOESON AVENUE  
CHARLESTON, SC 29405-2413

HT 168, G-74 VSS 1989

FEB 1 1989

**Adopted:**  
Village of Greenport Board of Trustees, September 29, 1988

**Approved:**  
NYS Secretary of State Gail S. Shaffer, November 11, 1988

**Concurred:**  
U.S. Office of Ocean and Coastal Resource Management, June 21, 1989

This Local Waterfront Revitalization Program has been adopted and approved in accordance with the provisions of the Waterfront Revitalization and Coastal Resources Act of 1981 (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

GAIL S. SHAFFER  
SECRETARY OF STATE

November 11, 1988

Honorable George W. Hubbard  
Mayor  
Village of Greenport  
P.O. Box AH  
Greenport, New York 11944

Dear Mayor Hubbard:

It is with great pleasure that I inform you that, pursuant to the Waterfront Revitalization and Coastal Resources Act, I have approved the Village of Greenport's Local Waterfront Revitalization Program (LWRP). The Village is to be commended for its thoughtful and energetic response to opportunities presented along its waterfront.

I will notify State agencies shortly that I have approved the Village's 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 Greenport LWRP.

Again, I would like to commend the Village of Greenport on its efforts to develop the LWRP and look forward to working with you in the years to come as you endeavor to revitalize your waterfront.

Sincerely,

Gail S. Shaffer

GSS:ec



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Washington, D.C. 20235

JUN 21 1989

George Stafford  
Director  
Division of Coastal Resources  
and Waterfront Revitalization  
Department of State  
162 Washington Street  
Albany, N.Y. 12231

Dear Mr. Stafford:

The Office of Ocean and Coastal Resource Management concurs with your request to incorporate the Village of Greenport Local Waterfront Revitalization Program (LWRP) into the New York State Coastal Management Program as a routine program implementation change. We received comments from six Federal agencies, none objecting to incorporating the LWRP as a routine program implementation. This approval assumes you will make no further changes to the document in addition to the ones submitted.

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

Sincerely,

Donald E. Critchfield  
Acting Director



Village of Greenport

Resolution of the Village Board of Trustees  
Adopting the Greenport Local Waterfront Revitalization Program

WHEREAS, the Village of Greenport entered into a contract with the New York State Department of State, dated April 1, 1983 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 Saratoga Associates; 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 May 28, 1987 to receive and consider comments on both the DLWRP and DEIS; and

WHEREAS, a Final Environmental Impact Statement (FEIS) was prepared and accepted by the Mayor and Village Board of Trustees as complete on Sept. 15, 1988.

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

Resolution passed at a Special meeting of the Village Board of Trustees on September 29, 1988

Village Clerk ~~- Nancy W. Cook~~

\*\*\*\*\*

CERTIFICATION OF RESOLUTION

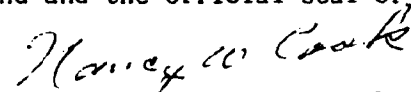
STATE OF NEW YORK )  
                                  ) ss.:  
COUNTY OF SUFFOLK )

THIS IS TO CERTIFY THAT I, Nancy W. Cook, Clerk of the Village of Greenport of the County of Suffolk, have compared the foregoing resolution with the original resolution now on file in this office, and which was adopted by the Board of Trustees of the Village of Greenport of said County on September 29, 1988; and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Village of Greenport of the County of Suffolk.

October 8, 1988  
Date

SEAL



Nancy W. Cook, Village Clerk

ACKNOWLEDGEMENTS

Village of Greenport, New York

Mayor: George W. Hubbard

Trustees: Gail Horton

Jean Cooper

David Corwin

Stephen Clark

Community Development Office: William Gillooly

David Abatelli

Village Clerk: Nancy Cook

This program was prepared by the Village of Greenport, Saratoga Associates, and the New York State Department of State Division of Coastal Resources and Waterfront Revitalization.



VILLAGE OF GREENPORT  
Suffolk County, Long Island

LOCAL WATERFRONT REVITALIZATION PROGRAM

TABLE OF CONTENTS

	<u>Description</u>	<u>Page</u>
	Introduction	1
Section	I WATERFRONT REVITALIZATION AREA BOUNDARY	I-3
Section	II INVENTORY AND ANALYSIS	II-3
	A. Regional Setting	II-5
	B. Historical Perspective	II-5
	C. Natural Components	II-7
	D. Development Factors	II-11
SECTION	III WATERFRONT REVITALIZATION PROGRAM POLICIES	
	A. Development Policies	III-3
	B. Fish and Wildlife Policies	III-11
	C. Flooding and Erosion Policies	III-14
	D. General Policy	III-20
	E. Public Access Policies	III-20
	F. Recreation Policies	III-24
	G. Historic and Scenic Resource Policies	III-27
	H. Energy and Ice Management Policies	III-30
	I. Water and Air Resources Policies	III-32
SECTION	IV PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS	
	A. Proposed Land and Water Uses	IV-3
	B. Proposed Projects	IV-10
SECTION	V TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM	
	A. Existing Local Laws and Regulations	V-3
	B. Local Laws and Regulations Adopted to Implement the LWRP	V-5
	C. Implementation of the LWRP Policies	V-5
	D. Management Structure	V-15
	E. Compliance Procedures	V-16
	F. Financial Resources	V-21
SECTION	VI FEDERAL AND STATE PROGRAMS LIKELY TO AFFECT PROGRAM IMPLEMENTATION	VI-3
SECTION	VII CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE, REGIONAL, AND LOCAL AGENCIES	VII-3
SECTION	VIII LOCAL COMMITMENT	VIII-3

List of Maps

1	Regional Location	iii
2	Coastal Area Boundary	I-5
3	Natural Characteristics	II-9
4	Existing Land Use	II-13
5	Existing Underutilized Waterfront Sites	II-17
6	Existing Water-Dependent Uses	II-23
7	Existing Zoning Patterns	II-29
8	Historic District	II-33
9	General Land and Water Uses	IV-5
10	Waterfront Area Projects	IV-13
11	Zoning Map	V-7

## VILLAGE OF GREENPORT LOCAL WATERFRONT REVITALIZATION PROGRAM

### INTRODUCTION

The Local Waterfront Revitalization Program is an action-oriented planning strategy to encourage and coordinate the continued revitalization of the Village of Greenport.

The Village of Greenport, at the eastern end of the north fork of Long Island (See Map 1, Regional Location), owes its development, and much of its vitality, to its waterfront location. Historically, the local economy has depended on the activity generated by boating, commercial fishing, fish processing, shipbuilding and other water-dependent activities. In recent years, tourism and the number of second home owners have increased, attracted by the activity and the ambience of Greenport's commercial waterfront, shops, restaurants, and the appeal of its architecturally distinctive homes. These factors have had a positive influence on the Village's economy, resulting in the development and redevelopment of vacant, deteriorated, or underutilized properties along the Village waterfront and in the Central Business District. However, careful decisions must be made on future development proposals so when the remaining underutilized/deteriorated properties and existing developed sites are redeveloped, the Village's heritage, as a waterfront community that relies on its direct association with the sea and its commercial waterfront, will be maintained.

The Local Waterfront Revitalization Program serves the Village of Greenport both as a statement of overall planning and development policy. It is consistent with the objectives of the New York State Coastal Management Program. The Local Waterfront Revitalization Program is a comprehensive revitalization effort that will achieve a compatible, well-serviced pattern of development and a mix of uses that are responsive to the needs of at least four constituent groups: year-round residents; marine industries; seasonal or week-end residents of the Village; and tourists.

The goals of this revitalization effort are:

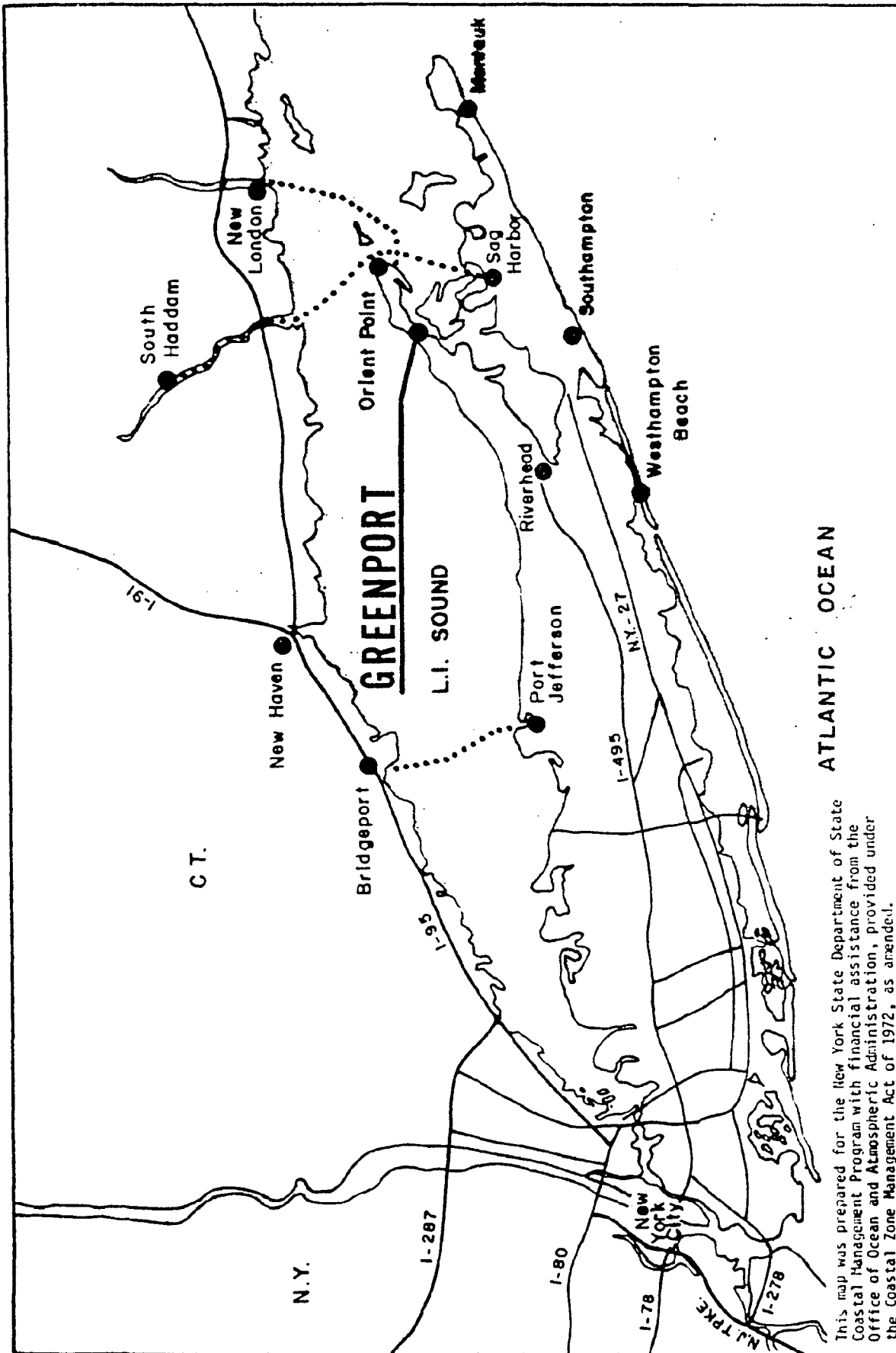
- To MAINTAIN and PROTECT existing water-dependent uses and where it is possible and necessary encourage expansion of these uses;
- To REDEVELOP the remaining underutilized or deteriorated waterfront properties for water-dependent uses;
- To STRENGTHEN Greenport's role as a commercial fishing seaport;
- To provide for CONTINUED and EXPANDED public access to the waterfront;
- To ENHANCE the Village's position as the commercial and business center of Southold Town;

- To CONSERVE and ENHANCE the strong residential character of established residential areas throughout the Village;
- To IMPROVE the Village's visual quality;
- To PROVIDE necessary infrastructure improvements to accommodate development proposals in the waterfront and Central Business District.

The Village of Greenport's Local Waterfront Revitalization Program has been developed in accordance with the New York State Waterfront Revitalization and Coastal Resources Act (1981) and related procedures, requirements and guidelines, promulgated by the New York State Department of State.

The planning process, through which the Village's Local Waterfront Revitalization Program has evolved, included the following steps which are presented as they appear in the body of this document:

1. BOUNDARY DETERMINATION, in which the coastal area serving as the program basis for waterfront policies and activities is defined.
2. INVENTORY AND ANALYSIS, in which existing conditions, conservation and development opportunities and constraints within the program area are identified and examined.
3. POLICY DETERMINATION, in which the Village's governing body, the Village Board of Trustees, identifies those State policies applicable to the Village's coastal area and establishes additional sub-policies, specific to the Village, by which actions in the Village waterfront area will be reviewed for consistency.
4. USES AND PROJECTS, in which specific proposals are presented regarding potential land uses and projects to be undertaken to advance the coastal policies.
5. IMPLEMENTATION TECHNIQUES, in which specific management, legislation, funding and program strategies are identified or developed, including organizational structures, land use controls, local laws, local government capabilities and responsibilities, and necessary and appropriate State actions.
6. IDENTIFICATION OF RELEVANT STATE AND FEDERAL PROGRAMS, in which State and Federal programs that may be necessary to further the implementation of the LWRP are identified.
7. CONSULTATION WITH FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES, in which agencies comment on the waterfront program as it is being drafted.
8. LOCAL COMMITMENT, in which the Village Board of Trustees solicits public comment, approves the draft program, and transmits the LWRP to the New York State Department of State.



This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

M A P 1

**REGIONAL LOCATION**  
 Local Waterfront Revitalization Program  
**VILLAGE OF GREENPORT**

One of the major benefits of the Local Waterfront Revitalization Program is the concept of "consistency". With an approved program, the policies and purposes of the Local Waterfront Revitalization Program guide State, Federal and local agencies to ensure that their actions in the local waterfront area are consistent with the local program. The local program is also used to measure the consistency of actions proposed by the private sector.

Another benefit to the Village is the financial and technical assistance available through the Department of State's Coastal Management Program for implementation of the local program. Once the program is approved, grants are available for research, studies, design development, small construction projects, and other necessary activities which serve to implement the various projects identified in the Local Waterfront Revitalization Program. In addition, the Department of State will assist the Village of Greenport to identify and pursue other Federal and State funding sources.

SECTION I

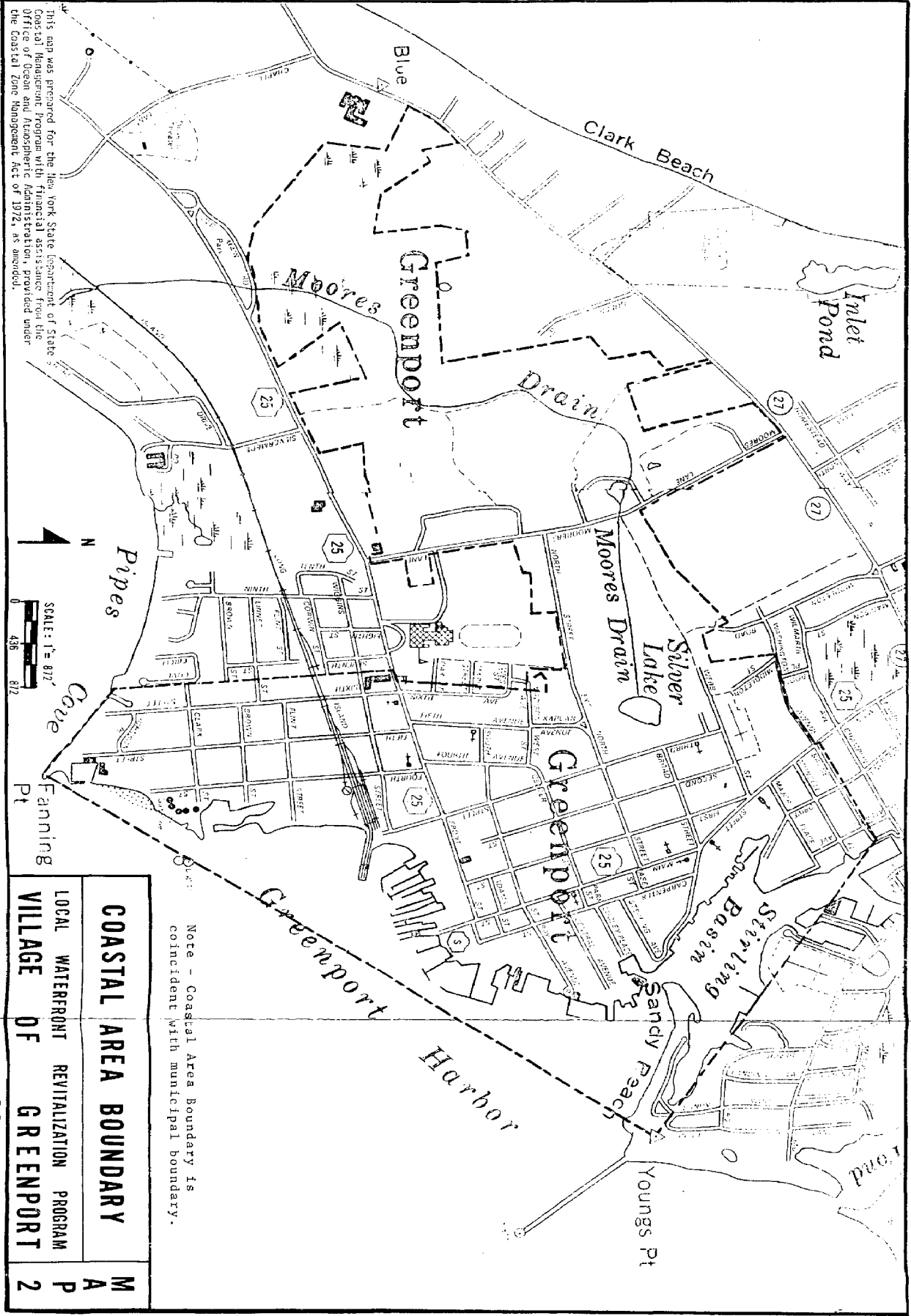
WATERFRONT REVITALIZATION AREA BOUNDARY

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 subsequently-issued rules and regulations.

As illustrated on Map 2, Coastal Area Boundary, the entire incorporated Village of Greenport lies within the coastal area boundary. The inland coastal area boundary in Greenport is coincident with the inland municipal boundary of the Village of Greenport. The waterside boundary of Greenport's coastal area is also coincident with the Village's legal jurisdiction and extends out from the shoreline into Shelter Island Sound encompassing the waters landward of the waterside boundary which connects Young's Point and Fanning Point.





This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

SCALE: 1" = 872'  
436 872

<b>COASTAL AREA BOUNDARY</b>	<b>M A P 2</b>
<b>LOCAL WATERFRONT REVITALIZATION PROGRAM VILLAGE OF GREENPORT</b>	<b>M A P 2</b>

Note - Coastal Area Boundary is coincident with municipal boundary.

SECTION II  
INVENTORY AND ANALYSIS

## SECTION II. INVENTORY AND ANALYSIS

### A. REGIONAL SETTING

The Village of Greenport, approximately one square mile in area and bordering on Greenport Harbor and Shelter Island Sound, is located within the Suffolk County Town of Southold at the eastern end of the North Fork of Long Island (See Map 1, Regional Location). The Village is located 92 miles east of Manhattan, accessible from there in approximately two to two and one-half hours by vehicle traveling the Long Island Expressway (Interstate 495) and NYS Route 25 and/or County Road 48.

Kennedy International Airport is located 90 miles west of Greenport, while Long Island's MacArthur Airport and Suffolk County's Airport at Westhampton are, respectively, 48 and 30 miles distant. Passenger railroad service to Greenport is currently limited to one train eastbound and one train westbound per day. Combination bus-train service and direct bus service from Greenport to New York City are, however, provided on a much more frequent basis. There is at present no railroad freight service east of Riverhead on the North Fork.

Direct access to the South Fork by way of Shelter Island is available on a regular basis from Greenport via the North Ferry, Inc. and the South Ferry. In addition, the Orient-New London Ferry, located some 8 miles east of Greenport, provides a direct route to New England placing Greenport within easy reach of the Connecticut, Rhode Island and Massachusetts business and cultural centers.

Of particular significance to the discussion of Greenport's regional setting is its strategic location as a commercial fishing port with respect to New England and mid-Atlantic Fishing Grounds and the New York City market area.

### B. HISTORICAL PERSPECTIVE

In the early part of the nineteenth century a considerable part of what is now the Village was the farm of Captain David Webb. The event that commenced the development of Greenport as a Village was the sale of this farm "to those desirous of speculation" at an auction on the 23rd day of March in 1820. It was relatively soon thereafter, in 1838, that the Village of Greenport originally became incorporated. Greenport is Long Island's oldest incorporated Village. From about the time the Webb farm was sold, Greenport has served as the region's major port due to the naturally deep waters of Greenport Harbor. The whaling, fishing, and shipbuilding industries have historically provided the Village with its economic base employing thousands of people on its waterfront throughout the years.

The history and sea-faring tradition of Greenport is described in the following excerpts from the Waterfront Development Opportunities in the Village of Greenport study prepared by the Long Island Regional Planning Board in 1980.

"Whaling activities occurred in Greenport from the early 1830's to 1849 with a peak in the 1840's. Huge schooners from all over the world sailed from Greenport and Sag Harbor while the whale fishery prospered along the northeast coast. The Gold Rush marked the decline of the whaling industry, as whaling vessels were converted to carry passengers. The decreased availability of whales, the American Civil War, and the development of petroleum as a fuel source all contributed to the eventual demise of whaling on Long Island's East End.

By 1835, the use of menhaden (mossbunker) as a farm fertilizer had become well established on eastern Long Island. It became a local practice for a group of farmers to jointly buy a seine or net, and a big round-bottomed "fishing smack" to catch "bunkers" for fertilizer. Menhaden were mostly used to produce fish meal and oil for paints. Large processing operations or "fish factories" were established along the Greenport waterfront by 1857.

Greenport prospered due to the menhaden industry; 64 boats were in service and seven under construction in 1879. By this time, shipbuilding (pleasure craft, cargo vessels, fishing vessels) boomed in Greenport. The Greenport Basin and Construction Company, famous yacht builders, became a large repair and docking facility for menhaden vessels. (Today, the company is known as Greenport Yacht and Shipbuilding.) Menhaden vessels or "bunker boats" were said to have lined the shoreline along Main and Front Streets. Close to 90 "fish factories" operated along the local shores by 1883. The region's fishing fleet consisted of 83 steam-driven fishing vessels, and a portion of the 212 sailing vessels found in the area. Over 2,300 workers, including many blacks who migrated to the region from the south, were employed by the fishing and fish processing industries. The modernization of fishing and processing techniques, as well as a decrease in menhaden abundance, led to the eventual decline of the Greenport menhaden industry by the 1950's.

New York State ceded oyster cultivation rights to underwater lands in Peconic/Gardiner Bays to Suffolk County in 1884 (L 1884, CH 884). Oysters dredged from L.I. Sound were brought to the clean waters of these areas and replanted to fatten them before harvest. Greenport developed a large oyster industry with processing houses located on the waterfront. About 500 were employed in 12 oyster companies on the Greenport waterfront in 1940. During the Christmas season, hundreds of railroad cars were loaded at the railroad station with containers of shucked oysters for transport to New York City. The great hurricane of 1938, which covered many productive oyster areas with sand, and increases in the cost of labor, operations, and shipping caused a gradual decline of the oyster industry.

During World War II Greenport's shipyards again became very active building naval vessels under government contract. Thousands were employed and Greenport's population was over 5,000. However, the shipyards closed after the end of the war, and over the next 25 years the Village economy went into a severe decline and its population dwindled. The 1980 population was estimated by the Long Island Lighting Co. at 2,408.

The mainstay of Greenport's economy during the years following World War II has been the fishing industry. By 1958, the processing of edible fish became an important activity in Greenport. Sea and bay scalloping, oyster farming and finfish processing continue to employ hundreds along the waterfront. In 1979, 41 commercial fishing vessels utilized Greenport's harbor for docking, offloading and sale of catch, fuel and ice service, the purchase of groceries and equipment, and repairs.

In recent years, tourism has increased in the Village due to its seaport ambience and historic architecture. Greenport has become famous for its historic Federal, Greek revival and Victorian style buildings now about to be placed on the National Registry of Historic Places. Recreational boating has also centered in Greenport with the area's largest pleasure boats attracted to Greenport's deep and well protected harbor.

With tourism and recreational boating demands ever increasing, dock space for commercial vessels is in very tight supply. This factor has forced many skilled fishermen to leave Greenport, or to go out of business. Compounding this dilemma is an ever increasing demand for the development of waterfront properties as tourist facilities or luxury condominiums."

Today, the local labor market does not rely as heavily as it once did on the traditional maritime industries previously described; however, the majority of the local labor market remains oriented to water-dependent occupations such as marinas, boat yards, commercial fishing, and boat building. It is the Village's highest local priority to see efficient use of Greenport's remaining waterfront commercial land for water-dependent uses.

### C. NATURAL COMPONENTS

The natural components inventory summarized here includes consideration of the following key components:

1. topography and landform;
2. generalized soils data;
3. ground water, surface water, and flood prone areas; and
4. vegetation and wildlife

#### 1. Topography and Landform

The topography of Long Island was primarily established during the last glacial period, the Wisconsin. Glacial retreat left a series of moraines which extended along the northern portion of Long Island and throughout the North and South Forks. In general, this northern portion of Long Island is characterized by somewhat hilly glacial drifts, while the southern portion consists of a broad outwash plain sloping gently toward the Atlantic Ocean.

Topographic relief within the incorporated Village of Greenport is limited. Greenport might generally be characterized as level, with elevations varying only mildly from mean sea level. A portion of the Harbor Hill moraine is in evidence north of the Village near Long Island Sound, where topography, more varied at an elevation of some 50 feet above mean sea level, is located.

Relatively small, non-contiguous areas of beach are found in isolated instances along the shoreline of the Village. The prominent but small beach areas are located at: Sandy Beach and along the basin side of Beach Lane; Young's Point and lands immediately adjacent to the point; along the northwest side of Stirling Basin; and along the western shoreline of Greenport Harbor inclusive of Fanning Point and the area immediately to the west. (See Map 3, Natural Characteristics). Prior to the development of Greenport's waterfront, its shoreline consisted primarily of tidal marsh and larger beach areas. However, these natural features have been displaced by bulkheads, fill, and shoreline development which has occurred over the past century and a half.

The shoreline of the Village of Greenport lies adjacent to a bight formed by Young's Point to the east and Fanning Point to the west. Deep water, 20 to 80 feet in depth, is generally located within 300 feet of the shoreline facing Shelter Island Bay. The channel at Greenport, in fact, has a natural depth of 40 feet and can accommodate some of the largest ocean-going vessels. In contrast, Stirling Basin is a narrow body of water extending north from the Sandy Beach sandspit having a depth of some 6 to 18 feet. Due to the constraint imposed by the relatively shallow waters of Stirling Basin, this waterbody is more suitable to harbor smaller commercial and recreational vessels than the larger vessels that can be accommodated in the channel at Greenport Harbor. In Stirling Basin there exists a Federal Navigation Channel where shoaling periodically occurs and necessitates dredging. Shoaling is most severe at the entrance to Stirling Basin causing problems for vessels attempting to gain access to or exit from the basin. (See page II-27 of this section for a more in depth discussion of dredging activity in the waters of Greenport).

## 2. Soils

Soils in Greenport are generally classified as RhB, Riverhead and Haven soils, graded with 0 to 8 percent slopes. Included within the Village are areas of both Riverhead sandy loam and Haven loam which have been altered by grading operations. The Riverhead sandy loam is a well-drained, moderately coarse - textured soil with good internal drainage and rapid permeability. The Haven loam is a well-drained, medium-textured soil which formed in a loamy or silty mantle over stratified coarse sand and gravel. In an area as substantially developed as the Village of Greenport, it is not uncommon that the natural properties of many of these soils have been altered by grading and fill operations as well as other construction-related activity. These soil types do not pose a development constraint within the Village.

Areas of soils classified as muck are also found in limited areas of the Village, where development is not anticipated, such as the regulated freshwater wetland contiguous to Silver Lake. This wetland, for instance,

contains very poorly-drained organic soils that formed from partially decomposed woody or herbaceous plants. The muck generally consists of a thick layer of spongy, dark organic material over loose sand and gravel.

### 3. Ground Water, Surface Water, and Flood-prone Areas

The discussion of hydrology within the Village includes several important aspects, namely:

- a. ground water supply;
  - b. surface water conditions; and
  - c. flood-prone area considerations.
- a. Ground water supply: The Village of Greenport, like all of Long Island, depends on the groundwater aquifer for its water supply. Protection of the aquifer within Greenport and throughout the North Fork is a critical concern to the Village of Greenport. (For a more in depth discussion of the Village's groundwater supply, see page II-29 of this section).
- b. Surface waters: There are four major surface water bodies in Greenport. They include Silver Lake and Moore's Drain, both located in the northwest section of the Village, and Stirling Basin and Shelter Island Sound, to the east and south, respectively. Water quality classifications for these surface waters have been established by the New York State Department of Environmental Conservation (DEC) as follows:
- |                                                    |    |
|----------------------------------------------------|----|
| - Moore's Drain (tidal portion)                    | SC |
| - Moore's Drain (non-tidal portion)                | D  |
| - Silver Lake                                      | D  |
| - Stirling Basin                                   | SA |
| - Shelter Island Sound (includes Greenport Harbor) | SA |

Under the DEC water quality classification system, SC waters are described as "suitable for fishing and all other uses except for primary contact recreation and for the taking of shellfish for market purposes." Class D waters are suitable for primary and secondary recreation and fishing even though other factors may limit recreational use or inhibit the propagation of fish. Lastly, waters classified SA, including Stirling Basin and Shelter Island Sound, are "suitable for shellfishing for market purposes and for primary and secondary contact recreation."

All wetlands within the boundaries of the Village of Greenport are wetlands regulated by the Department of Environmental Conservation. The Silver Lake freshwater wetland system, which includes the wetlands of Moore's Woods and the non-tidal portion of Moore's Drain, is greater than 12.4 acres and is, therefore, a regulated freshwater wetland. The tidal waters and associated sparse wetland vegetation associated with the saline water bodies of Moore's Drain (tidal portion), Stirling Basin and Shelter Island Sound are regulated by the DEC as well.

The near shore saline waters of Greenport Harbor and Stirling Basin used to be well known for the harvesting of hardclams and oysters. Deteriorated water quality, resulting from the loss of valuable wetlands caused by intensive bulkheading and development of the Village's shoreline, boating activity, and stormwater runoff from Village roads and developed properties, caused the DEC to close these waters in Greenport to shellfishing back in the early 1960's. A program authorized in the early 1980's by DEC allowed shellfishing on a conditional basis during select dry periods when there was little or no runoff being generated by rainfall. However, the program was discontinued shortly after its inception due to the insufficient amount of shellfish found, the cause of which was attributed to poor water quality as a result of storm water runoff.

- c. Flood-prone areas: Substantial land areas within the Village have been designated by the Federal Emergency Management Agency (FEMA) as potential flood hazard areas. Within these designated areas, minimum federal criteria for regulating development within the flood plain, as prescribed by the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973, have been incorporated into local land use and development regulations (Chapter 40, Flood Damage Prevention Law).

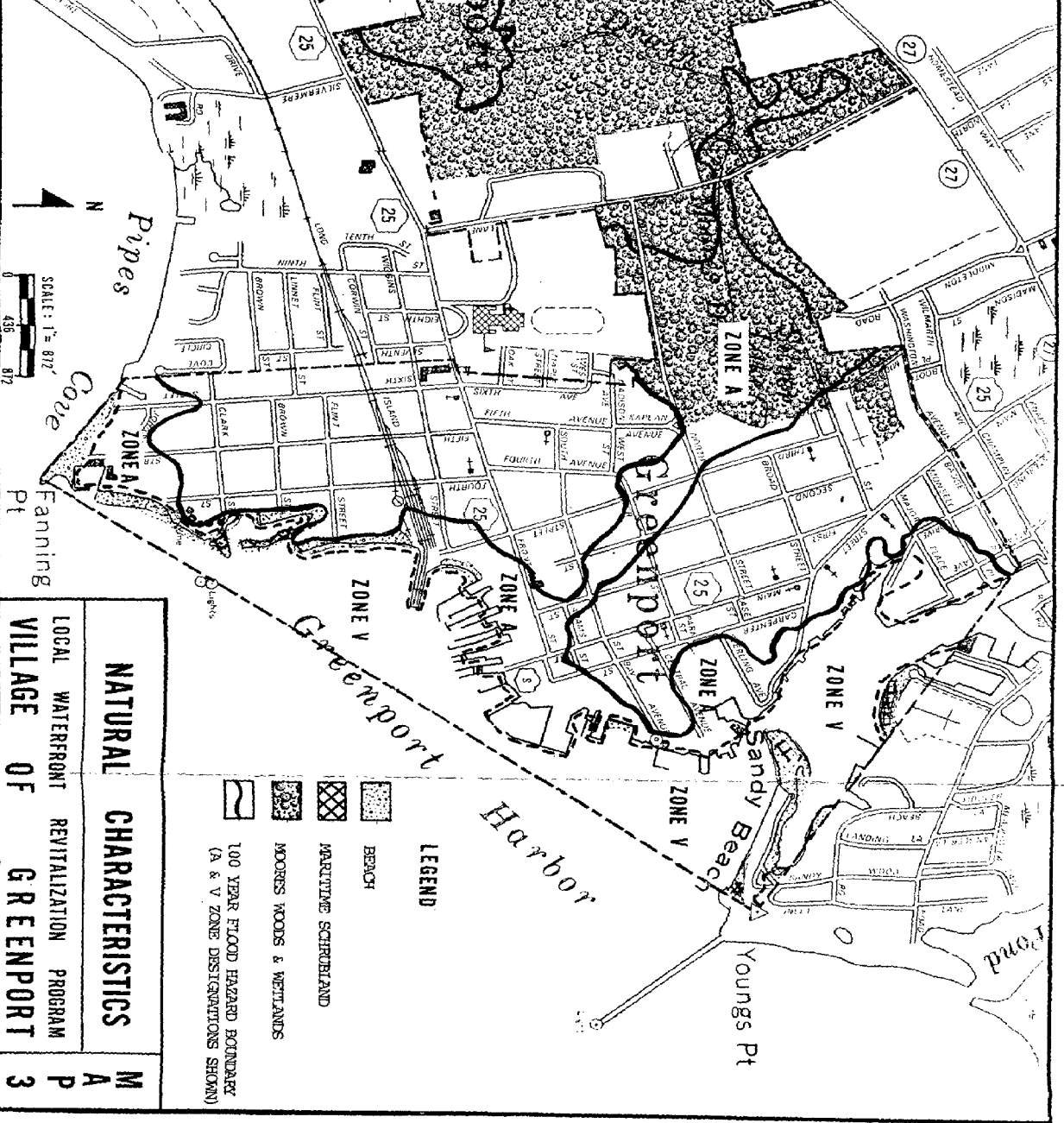
A detailed "Flood Insurance Study" was published for the Village of Greenport on December 15, 1982. This study resulted in the preparation of a Flood Insurance Rate Map (FIRM), last revised October 16, 1984. Four (4) major areas in the Village are identified as being prone to a 100 year flood. (A flood that has a 1% chance of occurring each year and is expected to occur once on average during any 100 year period). These areas include the following: the Village's entire shoreline; Silver Lake and the immediate area around the Lake; a corridor that extends through the business area connecting the flood prone areas of Silver Lake and the Village's waterfront; and the western portion of Moore's Woods. Coastal high hazard areas (V-zones), where high velocity waves can occur during storms and floods, exist in the Village along Stirling Basin and Greenport Harbor. (See Map 3, Natural Characteristics). The Village adopted a Flood Damage Prevention Law in 1983 which incorporates the Flood Insurance Rate maps and regulations promulgated by the Federal Insurance Administration. This law was established to prevent damage to property through the regulation of all development in flood prone areas.

#### 4. Vegetation and Wildlife







Principal vegetation throughout the residential portion of the Village of Greenport is typical of a residentially-developed area, that being landscaped lawns, planted shrubbery, and a variety of common trees such as maples and oaks. More dense vegetation and a more diverse variety of species can be found on some of the Village's vacant parcels and in the Moore's Woods watershed conservation area. Vegetation found in commercially developed areas of the Village's waterfront and business district is very sparse, but includes some maritime vegetation and street trees, respectively. The maritime shrubland areas are found at Sandy Beach, Stirling Creek and Fanning Point.



This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.



LOCAL WATERFRONT VILLAGE OF GREENPORT	NATURAL CHARACTERISTICS	M A P 3
	REVITALIZATION PROGRAM	

- LEGEND**
-  ZONE A
  -  ZONE V
  -  MARITIME SCHRIELAND
  -  BEACH
  -  MOORS WOODS & WETLANDS
  -  100 YEAR FLOOD HAZARD BOUNDARY (A & V ZONE DESIGNATIONS SHOWN)

Wildlife in the developed portion of the Village is limited to those wildlife species typically found in developed suburban communities such as the gray squirrel, eastern cottontail, eastern chipmunk, white-footed mouse and various other small mammals. The watershed conservation and wetland areas of Moore's Woods and less developed areas of the surrounding Town of Southold support a wider and larger variety of wildlife.

D. DEVELOPMENTAL FACTORS

The developmental factors inventory summarized in this section includes consideration of the following components:

1. existing land use;
2. land use policy;
3. recreation facilities and public access opportunities;
4. historic properties;
5. dredging activity;
6. traffic and parking;
7. population and housing characteristics;
8. community services and facilities; and
9. municipal utilities.

1. Existing Land Use

Waterfront Area

The Village of Greenport waterfront extends from the west side of Young's Point around Stirling Basin and continues along through the Central Business District (CBD) to the west side of Fanning Point. For identification and discussion purposes, the Village waterfront area is divided into three waterfront areas as shown on Map 4, Existing Land Use. From Young's Point to Fanning Point the three waterfront areas are:

Waterfront Area 1 - from Young's Point along Stirling Basin to S.T. Preston and Son, Inc;

Waterfront Area 2 - from and inclusive of S. T. Preston and Son, Inc. along Greenport Harbor to and inclusive of the Long Island Rail Road property; and

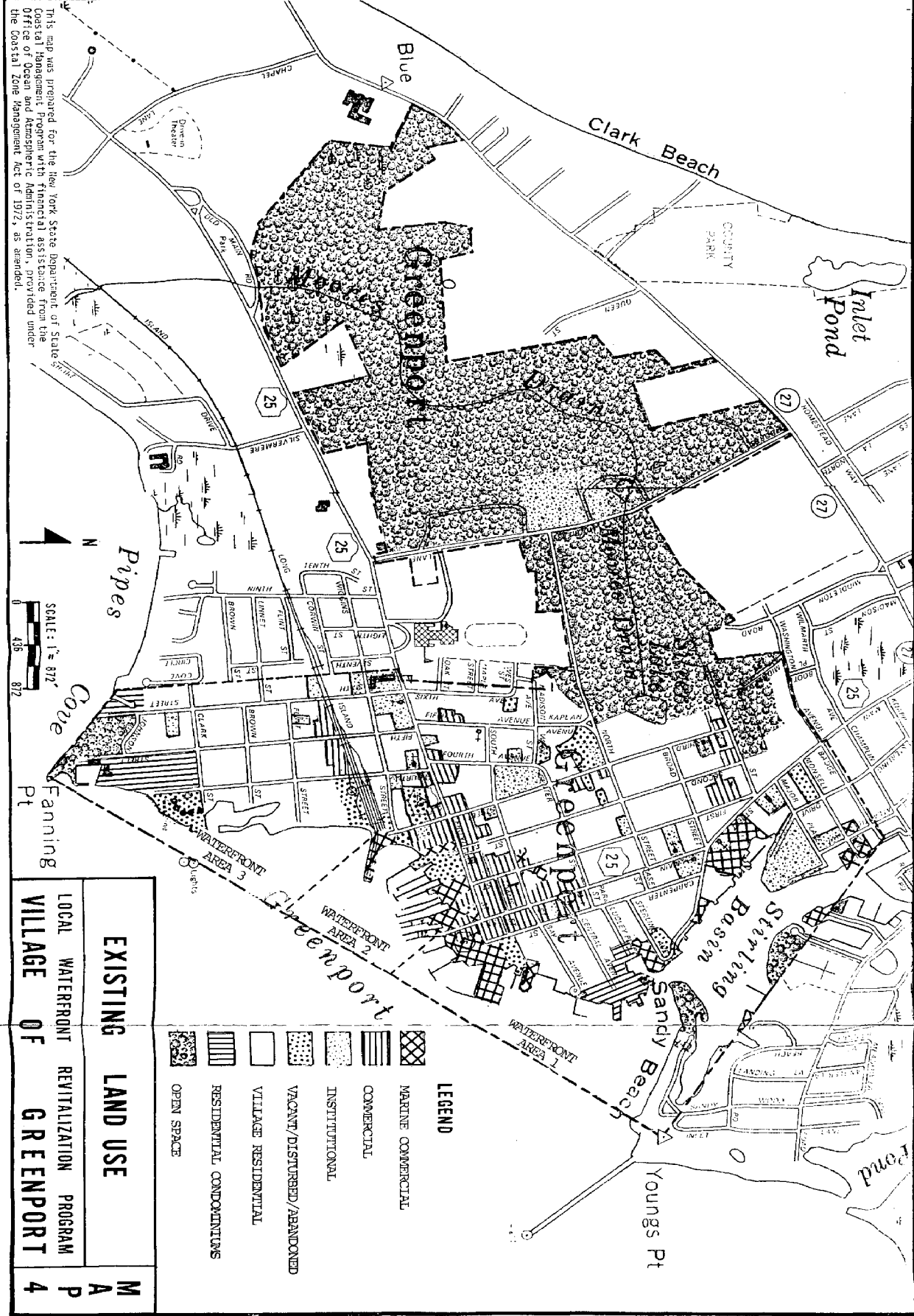
Waterfront Area 3 - from just south of the Long Island Rail Road property along Greenport Harbor to the west of Fanning Point.

#### Waterfront Area 1

Land use bordering on the east side of Stirling Basin within the boundaries of the Village of Greenport includes seasonal housing, a municipal park, cemetery, and marine commercial. The Sandy Beach sandspit runs northwest from Young's Point and contains both seasonal housing and Sandy Beach park. Both Sandy Beach and the nearby St. Agnes Cemetery are zoned for single family residential use. The cemetery is bordered by Brewers Yacht Yard to the southeast and Stirling Harbor Shipyard Marina to the northwest; both marinas are zoned for waterfront commercial use.

Land uses occurring on the west side of Stirling Basin include residential, marine commercial and institutional. The Kearnsport Marina and Pell's Fish market are bordered by residential property and are just north of the Eastern Long Island Hospital. Residential property is also located southwest of the hospital property. The remaining property on the west side of Stirling Basin contains the Townsend Manor Inn and Marina, Hanff's Boat Yard, private residences, The Coastal Dock Building Company, several small private recreational docks, and a bulkheaded vacant lot owned by Winter Harbor Fisheries, formerly owned by Marine Associates. This vacant grass covered parcel of land is bisected by Stirling Avenue and Stirling Street. The shoreline of this property contains 130 feet of maintained bulkhead, with tie-up pilings placed off-shore along its length. (See Map 5, Existing Underutilized Waterfront Sites). All of the property on the west side of Stirling Basin is zoned for waterfront commercial use, with the exception of the (1) Townsend Manor Inn, which is zoned for retail commercial use; (2) single family residentially zoned property between the Eastern Long Island Hospital and the Townsend Manor Inn; and (3) one and two family residentially zoned property between Hanff's Boat Yard and the Coastal Dock Building Company.

The harborfront area, from the mouth of Stirling Basin to S.T. Preston and Son, Inc., is zoned for waterfront commercial use with the exception of a small stretch of one and two family residentially zoned property. The Winter Harbor Fisheries shellfish processing plant is located at the mouth of Stirling Basin. Residential condominiums, developed on property zoned for waterfront commercial use, are located on the site of the former Sweet Shipyard fishery facility which separates the Winter Harbor Fisheries shellfish plant from the single family residences to the south. Cooper's Fish Processing Co. and the Greenport Yacht and Shipbuilding Co. lie south of the residential property, and between these two businesses is the deteriorated and abandoned Barstow Shipyard. The Barstow shipyard site (1.5 acres) is located east of Carpenter Street and south of Bay Avenue on Greenport Harbor. More than half of this site is developed with unused boat storage buildings. The remainder of this parcel is cluttered with abandoned, derelict vessels. The waterfront portion of this site consists of 100 feet of deteriorated bulkhead and half sunken vessels. (See Map 5, Existing Underutilized Waterfront Sites). Ownership of the Barstow site is uncertain; title to the property is claimed by several parties, including Suffolk County. Eleven major water-related businesses are located within this waterfront area.



This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

SCALE: 1" = 872'  
 0 138 872

EXISTING LAND USE	MAP 4
LOCAL WATERFRONT REVITALIZATION PROGRAM	
VILLAGE OF GREENPORT	

- LEGEND**
- MARINE COMMERCIAL
  - COMMERCIAL
  - INSTITUTIONAL
  - VACANT/DISTURBED/ABANDONED
  - VILLAGE RESIDENTIAL
  - RESIDENTIAL CONDOMINIUMS
  - OPEN SPACE

## Waterfront Area 2

All waterfront properties within this waterfront area are zoned for waterfront commercial use. The establishments located along this short, but busy stretch of waterfront include Claudios Restaurant and Marina, White's Bait Shop, Mitchell's Marina and Restaurant, North Ferry Co, and the Long Island Rail Road terminal and commercial fishing dock. Just north of the North Ferry Co. terminal, as the shoreline bends northeast, is a developed site that contains a building that has been transformed from a Bohack supermarket to a mini-mall. The former Bohack supermarket site now contains six or so small retail stores and a parking lot. Five major marine uses are located within this waterfront area.

The Mitchell property (3.5 acres) is located between Main and Third Streets and is bordered by Front Street and Greenport Harbor to the north and south, respectively. Existing development on this site includes a bar/restaurant and a large paved area that covers most of the site. The waterfront portion of this parcel contains 500 feet of shoreline, with 1,200 feet of deteriorating bulkhead, and six long wooden docks that are in poor condition. These dock spaces currently provide docking for charter fishing boats. The Greenport Post Office and the small building that formerly contained the East End Supply Company, which is for sale, border the Mitchell property to the west. Several small marine commercial businesses are located along the eastern edge.

The vacant portion of the Bohack property (.3 acre), is located between Third Street and Greenport Harbor. This site has approximately 200 feet of sandy shoreline between the Mitchell property and the Shelter Island Ferry terminal. A variety of commercial and marine commercial uses border this site.

The LIRR property and dock (7 acres) is located at the southerly terminus of the Third Street and the main line terminus of the railroad in Greenport. The inland portion of this site is developed with the following: two buildings, the former ticket office - currently vacant - which will soon be converted to a police station, and the former freight depot which is used for furniture storage; a new parking field; and an old locomotive turntable that is in disrepair. The waterfront portion is characterized with approximately 320' of bulkheading and a large dock recently constructed for use by commercial fishing vessels which is in very good condition. Residential areas border the southern and northwestern portions of this site. The dock abuts the North Ferry Company land and parking facility to the north.

### Waterfront Area 3

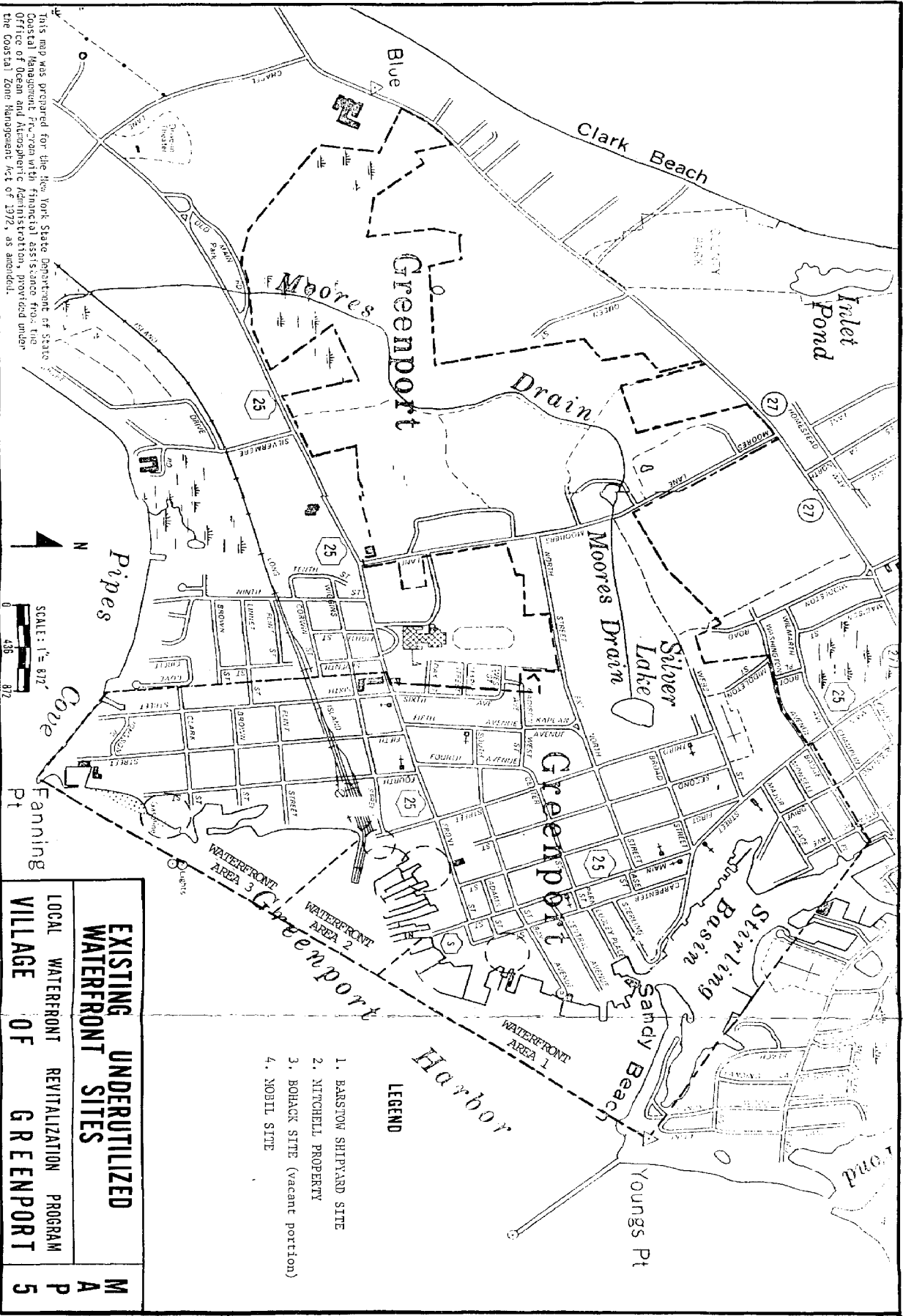
Residential land use dominates the shoreline south of the commercial fishing dock, with the exception of the abandoned Mobil Oil Co. storage terminal north of Fanning Point and the Village's Fifth Street Park property. The Mobil property (2.6 acres) was once used as a waterfront oil storage terminal. Although the terminal is no longer active, the structures remain. There is 600 feet of bulkheading at this site along the waterfront of Greenport Harbor. Residential areas are located to the northwest and west of this site (See Map 5, Existing Underutilized Waterfront Sites). The site of the former Old Oyster Factory Restaurant has been redeveloped for high-density residential use. This site is located at the eastern tip of Fanning Point, south of the abandoned oil terminal. On the west side of Fanning Point, the site of the old oyster shucking factory has also been redeveloped for high-density residential use. All of the property south of the railroad dock is zoned for one and two family residential use, with the exception of the two properties being converted to high-density residential use which are zoned for waterfront commercial use.

### Existing Water-Dependent Uses

The following list provides the names and respective functions of the existing major water-dependent facilities on the Village of Greenport waterfront. The respective location of each water-dependent facility listed is shown on Map 6, Existing Water-Dependent Uses.

### Waterfront Area 1

1. Brewers Yacht Yard - recreational marina with inside and outside storage facilities, also provides a full range of marine services, including boat sales and chartering;
2. Stirling Harbor Shipyard Marina - recreational boating oriented marina with inside and outside storage facilities, restaurant and bar;
3. Pell's Fish Market - retail seafood market and major seafood shipping facility. Pell's Fish Market is the main offloading point for local pound and gill net fishermen;
4. Kearnsport Marina - recreational boating marina and boat repair services;
5. Townsend Manor Inn and Marina -dockage for transient vessels, restaurant, hotel, lounge;
6. Hanff's Boat Yard - inside and outside storage, boat sales, complete engine and hull repair, boat building;



This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

SCALE: 1" = 872'  
0 436 872

EXISTING WATERFRONT VILLAGE	UNDERUTILIZED SITES	M A P 5
LOCAL WATERFRONT VILLAGE	REVITALIZATION PROGRAM	

- LEGEND
1. BARSTOW SHIPYARD SITE
  2. MITCHELL PROPERTY
  3. BOHACK SITE (vacant portion)
  4. NOELL SITE

7. Coastal Dock Building Company - dock and marine construction services;
8. Winter Harbor Fisheries - shellfish processing plant;
9. Cooper's Fish Processing Co. - finfish processing plant;
10. Greenport Yacht & Shipbuilding Co., Inc. - three railways, inside and outside boat storage, complete engine and hull repairs, marine hardware;
11. S.T. Preston and Son, Inc. - dock space for transients, marine supplies;

Waterfront Area 2

12. Claudio's Restaurant and Marina, Mobil Docks - dock space for both recreational and commercial vessels, restaurant and lounge;
13. A.P. White Bait Shop - tackle, bait and charter boat reservations;
14. Mitchell's Marina and Restaurant - dockage, restaurant and lounge, construction of a luxury motel and marina are being considered;
15. North Ferry Co. - provides regular ferry service to and from Shelter Island.

In recent years, great increases in the number of recreational boats and demand for docking facilities to accommodate them have nearly eliminated the availability of dock space for commercial fishing vessels. In response to this need to provide dock space for commercial fishing vessels, the commercial fishing dock at the LIRR property was recently constructed with assistance from various government agencies. Currently the dock is available only to commercial fishing vessels having a minimum length of 50 feet and a maximum length of 150 feet. A maximum three day layover is permitted. Currently, the docking needs of local commercial fisherman with relatively small fishing vessels are not being met. As existing waterfront facilities and new waterfront development increasingly serve the needs of recreational boaters, new dock space must be established to accommodate locally operated small scale fishing vessels as well as charter and/or party fishing vessels, and tour boats. A case in point is the possible redevelopment of the Mitchell property which might displace two party fishing boats, a Connecticut tourboat, and several small locally operated commercial fishing boats. These vessels serve one of the goals of the Village which is to retain its commercial fishing heritage and character. No alternate sites have yet been found to accommodate these vessels.

Three water-dependent firms of the fifteen listed are actively engaged in the sale, packaging, and processing of commercial fish catches. They include Pells Fish Market, Cooper's Fish Processing and Winter Harbor Fisheries. The Greenport Yacht and Shipbuilding Company, with its ice



making plant and fuel facilities, has the potential to serve as a fish packaging and fueling area for commercial fishing boats. Cooper's Fish Processing and Winter Harbor Fisheries processing plants are the remaining major fish processing facilities on Long Island. This represents a sharp decline in the number of fish processing facilities which used to exist on the Greenport waterfront, as described earlier in this section. There has also been a similar decline in the number of water-dependent ship building and repair facilities. The remaining major facility which specializes in this craft is the Greenport Yacht and Shipbuilding Company. This site also has tremendous potential for expanded use of marine commercial activities.

#### Existing Underutilized Waterfront Properties

Not too long ago, Greenport's waterfront was considered to have an overabundance of underutilized commercial waterfront real estate available for redevelopment. As recently as the late 1970's, there were nine sites totaling 24.6 acres which were available for water-dependent redevelopment. Included in this category were the following sites: the oyster shucking factory, Old Oyster Factory Restaurant, the Mobil site, the LIRR, Bohack and Mitchell properties, Barstow Shipyard, Sweet Shipyard, and the Winter Harbor Fisheries (formerly Marine Associates) property.

The oyster shucking factory, Old Oyster Factory Restaurant, and Sweet Shipyard sites, which account for 10.5 acres, have been redeveloped for high-density residential use. The larger of the two-lot Bohack property has been recommitted to retail use. The remaining portion of the site, which constitutes about a third of an acre, remains vacant. In addition to the newly reconstructed commercial fishing dock, portions of the seven-acre LIRR property are planned for municipal support services. Cold storage facilities are expected to be constructed on the vacant parcel owned by Winter Harbor Fisheries in the near future. As a result of the above actions, waterfront properties that remain underutilized and uncommitted at this time are the Mobil site, a small portion of the Bohack property, site, the Mitchell property, and the Barstow shipyard site. These four sites have a combined area of approximately 8 acres. (See Map 5, Existing Underutilized Waterfront Sites.)

It is clear that non water-dependent uses, such as retail shops and high-density residential, are competing for the limited amount of remaining waterfront property. Unless strong zoning measures are taken to regulate this type of encroachment, this trend is likely to have a severe impact on the Village's boating and commercial fishing industry, and waterfront character.

Beyond the waterfront area described in the previous paragraphs, there is little vacant land that is privately owned suitable for new commercial or residential development. A brief description of the Village's other land use categories are provided below.

7. Coastal Dock Building Company - dock and marine construction services;
8. Winter Harbor Fisheries - shellfish processing plant;
9. Cooper's Fish Processing Co. - finfish processing plant;
10. Greenport Yacht & Shipbuilding Co., Inc. - three railways, inside and outside boat storage, complete engine and hull repairs, marine hardware;
11. S.T. Preston and Son, Inc. - dock space for transients, marine supplies;

#### Waterfront Area 2

12. Claudio's Restaurant and Marina, Mobil Docks - dock space for both recreational and commercial vessels, restaurant and lounge;
13. A.P. White Bait Shop - tackle, bait and charter boat reservations;
14. Mitchell's Marina and Restaurant - dockage, restaurant and lounge, construction of a luxury motel and marina are being considered;
15. North Ferry Co. - provides regular ferry service to and from Shelter Island.

In recent years, great increases in the number of recreational boats and demand for docking facilities to accommodate them have nearly eliminated the availability of dock space for commercial fishing vessels. In response to this need to provide dock space for commercial fishing vessels, the commercial fishing dock at the LIRR property was recently constructed with assistance from various government agencies. Currently the dock is available only to commercial fishing vessels having a minimum length of 50 feet and a maximum length of 150 feet. A maximum three day layover is permitted. Currently, the docking needs of local commercial fisherman with relatively small fishing vessels are not being met. As existing waterfront facilities and new waterfront development increasingly serve the needs of recreational boaters, new dock space must be established to accommodate locally operated small scale fishing vessels as well as charter and/or party fishing vessels, and tour boats. A case in point is the possible redevelopment of the Mitchell property which might displace two party fishing boats, a Connecticut tourboat, and several small locally operated commercial fishing boats. These vessels serve one of the goals of the Village which is to retain its commercial fishing heritage and character. No alternate sites have yet been found to accommodate these vessels.

Three water-dependent firms of the fifteen listed are actively engaged in the sale, packaging, and processing of commercial fish catches. They include Pells Fish Market, Cooper's Fish Processing and Winter Harbor Fisheries. The Greenport Yacht and Shipbuilding Company, with its ice

making plant and fuel facilities, has the potential to serve as a fish packaging and fueling area for commercial fishing boats. Cooper's Fish Processing and Winter Harbor Fisheries processing plants are the remaining major fish processing facilities on Long Island. This represents a sharp decline in the number of fish processing facilities which used to exist on the Greenport waterfront, as described earlier in this section. There has also been a similar decline in the number of water-dependent ship building and repair facilities. The remaining major facility which specializes in this craft is the Greenport Yacht and Shipbuilding Company. This site also has tremendous potential for expanded use of marine commercial activities.

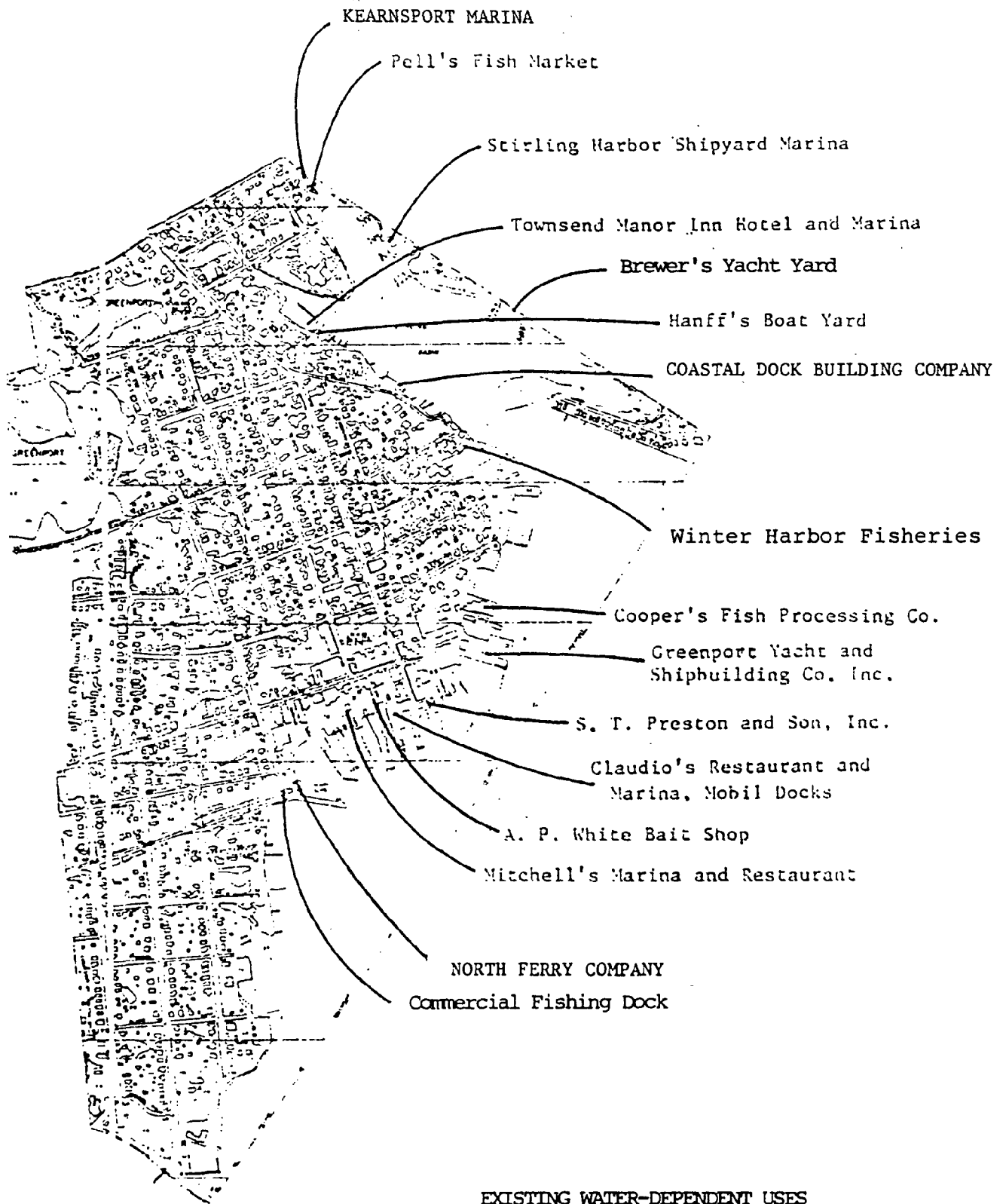
#### Existing Underutilized Waterfront Properties

Not too long ago, Greenport's waterfront was considered to have an overabundance of underutilized commercial waterfront real estate available for redevelopment. As recently as the late 1970's, there were nine sites totaling 24.6 acres which were available for water-dependent redevelopment. Included in this category were the following sites: the oyster shucking factory, Old Oyster Factory Restaurant, the Mobil site, the LIRR, Bohack and Mitchell properties, Barstow Shipyard, Sweet Shipyard, and the Winter Harbor Fisheries (formerly Marine Associates) property.

The oyster shucking factory, Old Oyster Factory Restaurant, and Sweet Shipyard sites, which account for 10.5 acres, have been redeveloped for high-density residential use. The larger of the two-lot Bohack property has been recommitted to retail use. The remaining portion of the site, which constitutes about a third of an acre, remains vacant. In addition to the newly reconstructed commercial fishing dock, portions of the seven-acre LIRR property are planned for municipal support services. Cold storage facilities are expected to be constructed on the vacant parcel owned by Winter Harbor Fisheries in the near future. As a result of the above actions, waterfront properties that remain underutilized and uncommitted at this time are the Mobil site, a small portion of the Bohack property, site, the Mitchell property, and the Barstow shipyard site. These four sites have a combined area of approximately 8 acres. (See Map 5, Existing Underutilized Waterfront Sites.)

It is clear that non water-dependent uses, such as retail shops and high-density residential, are competing for the limited amount of remaining waterfront property. Unless strong zoning measures are taken to regulate this type of encroachment, this trend is likely to have a severe impact on the Village's boating and commercial fishing industry, and waterfront character.

Beyond the waterfront area described in the previous paragraphs, there is little vacant land that is privately owned suitable for new commercial or residential development. A brief description of the Village's other land use categories are provided below.



EXISTING WATER-DEPENDENT USES  
 Local Waterfront Revitalization Program  
 VILLAGE OF GREENPORT

MAP 6

This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

## Central Business District

The Central Business District (CBD) includes the area bounded by Third, Center and Carpenter Streets and Greenport Harbor, with the exception of residential properties in the northwest section of this area. This area encompasses Waterfront Area 2. Most of the Village's retail commercial uses are established in this area and are generally concentrated along Front Street eastward from Fourth Street to Main and then north on Main to the vicinity of Park and Center Streets.

The establishment of a coordinated program of building rehabilitation, infill development, and public improvements is needed in the CBD in order to improve the visual quality and economic vitality of the Village. The preparation of a design and improvement guide for the CBD would greatly assist the Village in this effort. Such a design and improvement guide would stipulate specific design plans for building and street-scape improvements, as well as identify the location of needed pedestrian and visual corridors. The development of a modest pedestrian corridor system linking the CBD to the waterfront area would help to create much needed visual and pedestrian access to the Village's waterfront, and would greatly enhance the tourist experience for those visiting Greenport.

## Residential Areas

Residential development patterns dominate the Village landscape beyond areas used for waterfront commercial, commercial and open space uses. Residential areas are located in the northeast and southeast portions of the Village.

Residential units throughout the Village are principally one- and two-family structures. These structures reflect the architectural diversity present throughout the nineteenth century development of the community, and they include fine examples from each of the following periods:

Greenport Vernacular	1820-1850
Greek Revival	1820-1860
Italianate	1840-1880
Second Empire	1850-1890
Queen Anne	1880-1900
Bungalow	1890-1940

## Open Space Areas

The vast Moore's Woods property and other municipally owned properties that are used for park purposes comprise the considerable open space patterns in the Village. These areas are discussed more thoroughly in this section beginning on page II-22.

## Institutional Uses

Principal institutional uses, other than municipal facilities which are discussed later in this section, include the 3.4 acre Green Hill Cemetery north of Webb Street, and various church and school properties. The most substantial of these is St. Agnes's Roman Catholic Church and School at Sixth and Front Streets.

## 2. Current Land Use Policy

The most significant statement of land use policy within the Village of Greenport is the Village's Zoning Law, Chapter 85 of the Code of the Village of Greenport. As illustrated by Map 7, Existing Zoning Patterns, the Zoning Law divides the Village into five zoning districts:

W-C	Waterfront Commercial District
R-1	One-Family Residence District
R-2	One- and Two-Family Residence District
C-R	Retail Commercial District
C-G	General Commercial District

The uses allowed in the W-C District include water-dependent commercial and recreational uses, and water-enhanced uses. Most of the land use in Waterfront Area 1 is traditional water-dependent commercial and recreational. Land use in Waterfront Area 2 is changing from traditional water-dependent commercial use to water-dependent recreational use. Land use in Waterfront Area 3 is primarily non water-related high-density residential.

All the properties zoned Waterfront Commercial in Waterfront Area 1, with the exception of the former Sweet Shipyard site that is in high-density residential use, are developed with water-dependent commercial and recreational uses. To protect and maintain water-dependent commercial and recreational uses, water-enhanced uses such as retail shops, restaurants and hotels, which are currently allowed in the Waterfront Commercial Zone of Waterfront Area 1, should be eliminated or better controlled. A zone should be created which only permits water-dependent uses and water-enhanced uses subject to special permit conditions. By making a zoning change of this type, the potential for encroachment by conflicting water-enhanced uses in water-dependent use areas is reduced or eliminated.

Unlike Waterfront Area 1, where there is only one water-enhanced use among the many water-dependent commercial and recreational uses, there are many water-enhanced uses within the Waterfront Commercial Zone of Waterfront Area 2. These consist mostly of retail shops and restaurants concentrated along the east side of Third Street, the south side of Front Street, and the west side of Main Street. The mix of water-dependent and water-enhanced uses in this area is desirable because of the sea-side resort ambience that is created by such a mix. However, the potential for water-enhanced uses to completely displace water-dependent uses should be eliminated. Making water-enhanced uses subject to special permit conditions would ensure that water-dependent uses are preserved and would provide greater control as to where these uses are located on the site. A

new zone, permitting water-enhanced uses, under special permit conditions, and water-dependent uses should be created.

The C-R District generally provides for retail, personal service, office, institutional, lodging, marina and docking facilities as permitted uses. Marina and docking facility use is inappropriate in the CR District since only one site zoned CR, the Townsend Manor Inn, is on the waterfront. All other parcels are located inland and do not have water frontage.

The Townsend Manor Inn should be incorporated into the Waterfront Commercial District because of its mix of water-dependent recreation and water-enhanced restaurant uses; these uses are compatible with the allowed water-dependent and water-enhanced uses in the Waterfront Commercial District.

The C-G District allows for the C-R permitted uses as well as non-personal service establishments, motor vehicle-related facilities, and light manufacturing and wholesale uses.

In general, the R-1 District limits permitted uses to single-family detached dwellings and municipal facilities, while the R-2 adds two-family dwellings to the list of permitted uses. Each residential district also provides for institutional uses and required utility uses by special permit. Minimum lot area within the R-1 District is 10,000 square feet; the R-2 District requires a minimum of 7,500 square feet for a single-family dwelling and 10,000 square feet for a two-family dwelling.

Close to 260 acres of Village-owned properties, including those used mostly for recreational purposes, have recently been zoned to the Park zoning classification. They had been inappropriately zoned for residential or commercial use. These properties include Moores Woods, Silver Lake, Sandy Beach Point, Third Street Park and Fifth Street Park. This rezoning will ensure that these properties will be used for public uses, particularly recreation.

### 3. Recreation Facilities and Public Access Opportunities

The Village of Greenport provides active and passive recreational opportunities at seven Village owned properties and at the jointly owned Village/Town boat ramp. The boat ramp facility, Fifth Street and Sandy Beach parks are located on the waterfront and provide public access to the shoreline. Roads within the Village and Town are adequate to provide access to all of the Village recreation facilities.

#### Waterfront

- Fifth Street Park, approximately 2 acres in size, is between Fifth and Sixth Streets between Johnson Place and Shelter Island Sound. This park includes playground/recreation facilities and an extensive community beach area. Significant rehabilitation and expansion of this site has been completed. Adequate parking facilities exist on this site.

- The 1 acre Sandy Beach property is located on the west side of Young's Point. Recreational use of the property is limited to passive pursuits due to the small area of the site and the delicate nature of the dune land soils and beach grass vegetation serving to stabilize the landform and prevent erosion. No parking facilities are provided on this site nor are they desired or appropriate.
- The boat ramp located on the east side of Stirling Basin is jointly owned by the Village of Greenport and the Town of Southold. Adjacent to the boat ramp, located in the Town of Southold, is a parking area approximately  $\frac{1}{2}$  acre in size for those who use the boat ramp.

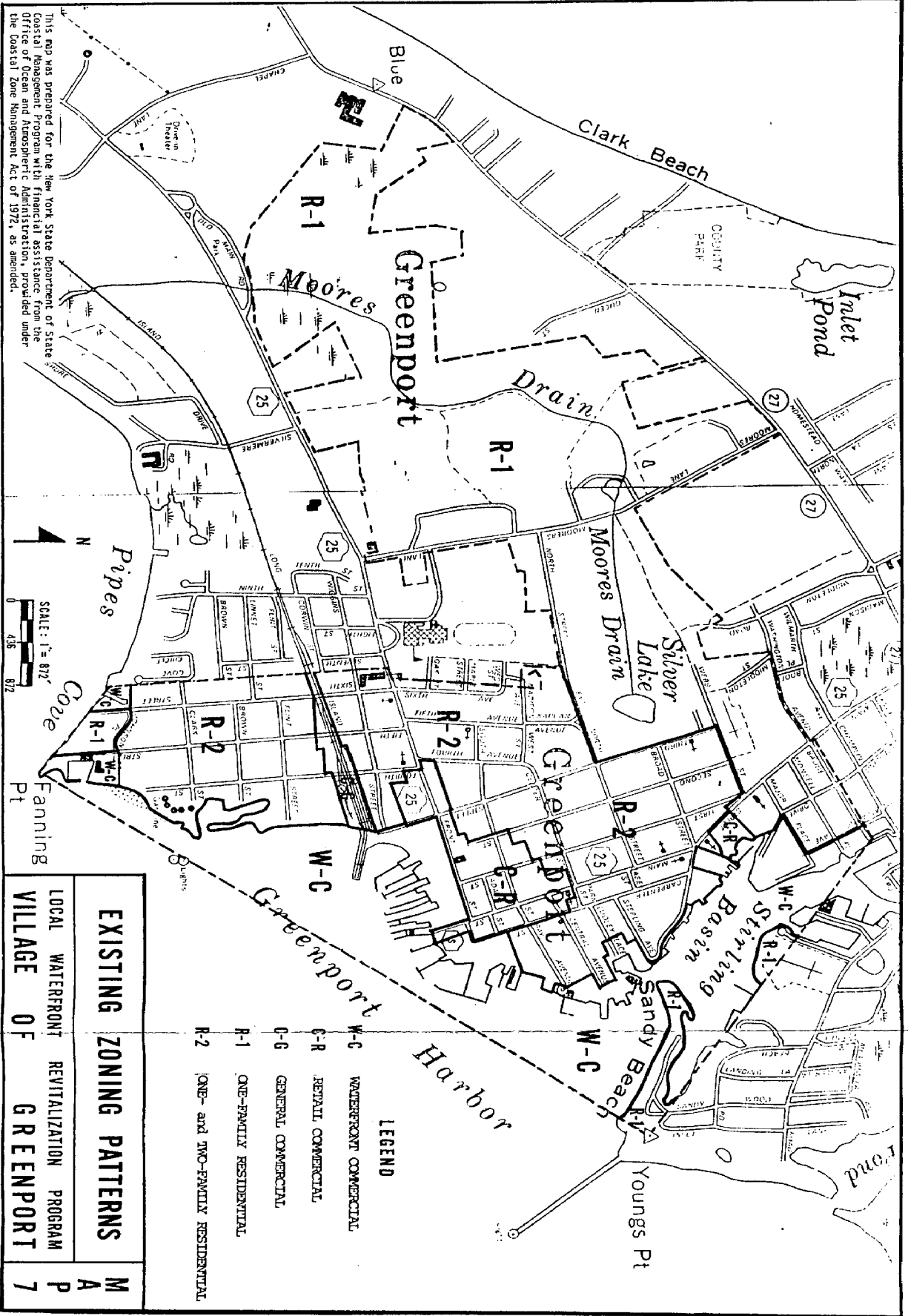
#### Inland

- The vast 240 acre Moore's Woods property which dominates the northwest portion of the Village. Use of this property is limited to passive recreation pursuits due to its importance as a watershed and the presence of the extensive Silver Lake fresh water wetland system.
- Curt Breeze Memorial Field (Polo Grounds) is a 12.6 acre community recreational facility located at the southwest corner of Moore's Lane within the Village of Greenport. The ballfields at this location receive intensive community use, and occasionally require reconditioning. Adequate parking facilities exist for this site.
- Third Street Park is approximately  $\frac{1}{2}$  acre in size, and is located at the corner of Third and Center Streets. It serves as an active a neighborhood playground/recreation site.
- Reeve Memorial Park, located between Main and First Streets, immediately south of Webb Street, and a "vest pocket park" on Adams Street are smaller, passive open spaces that might be characterized as "bench parks".

Opportunities for gaining increased pedestrian access to the waterfront for citizens of the Village and visitors can be achieved by utilizing small land areas at the end of Village streets. The following sites have been identified as having the potential to become waterfront mini-parks through very modest improvements:

- the east end of Wiggins Street (privately-owned)
- the LIRR site immediately south of the existing fishing dock
- the end of Bay Avenue
- a portion of the narrow section between Stirling Street and Stirling Harbor (privately-owned)
- the area east of the south end of Fifth Street, in conjunction with the existing park





This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

SCALE: 1" = 872'  
436' 872'

LOCAL WATERFRONT VILLAGE OF GREENPORT	EXISTING ZONING PATTERNS	M A P 7
	REVITALIZATION PROGRAM	

- LEGEND**
- W-C WATERFRONT COMMERCIAL
  - C-R RETAIL COMMERCIAL
  - O-G GENERAL COMMERCIAL
  - R-1 ONE-FAMILY RESIDENTIAL
  - R-2 ONE- and TWO-FAMILY RESIDENTIAL

- Stirling Place extended at the end of Stirling Basin

Another opportunity to provide waterfront access for Village residents and the general public is the development of a pedestrian harborwalk from the railroad station to the vicinity of Claudio's Restaurant. To make this opportunity successful, prespective easement, easement acquisition, tax inducements, and zoning incentives could be used. Such a walkway could connect to Front Street thereby forming a circumventive walkway within the Village CBD. Such a walkway would allow visitors to observe Greenport's waterfront, observe views of picturesque Shelter Island Sound, and provide an alternate access route to the Village's commercial center for those exiting the North Ferry.

The Village would like to establish access to the waterfront at the privately-owned Mobil site. Ideally, the Village would like to acquire this site and transform it into a waterfront park for passive and active use. The use of the Mobil site as a municipal waterfront park would provide the public with an alternative waterfront site for water-related recreational activities. Currently, the only waterfront park in the Village which is suitable for active recreation is the heavily used Fifth Street Park. This site might also be used for marine-related education, science and research.

A wider variety of recreational opportunities is available to Greenport residents at nearby County and State park facilities. Peconic Park and Goldsmith's Inlet Park are both County-operated facilities located west of Greenport on Long Island Sound. Orient Beach State Park, located eight miles east of the Village, includes over 350 acres and offers picnicking, a bath house and bay bathing. Norman Klip Park at the end of Manhasset Avenue provides both bathing and small boat launching facilities.

#### 4. Historic Resources

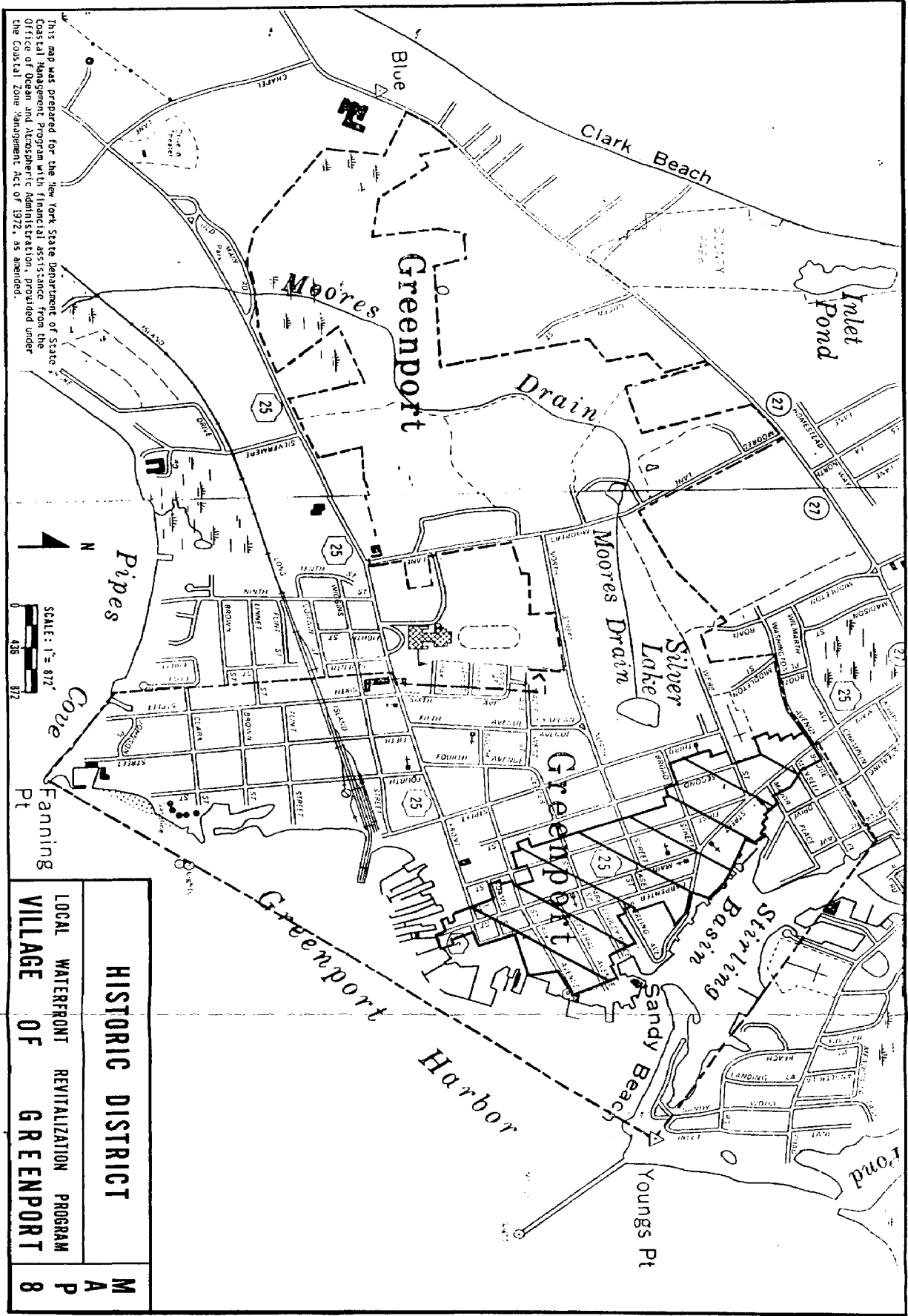
The following excerpt is taken from the National Register of Historic Places Inventory-Nomination Form of the Department of Interior National Park Service. This excerpt describes the historic resources within the established historic district which have been listed on State and Federal Registers of Historic Places. The description does not include all Village historic resources. However, as the only established district, it does represent the largest concentration of historic structures in the Village. In the near future, the Village intends to identify, in cooperation with the N.Y.S. Office of Parks, Recreation, and Historic Preservation, the historic resources outside of the historic district for possible nomination to the State and Federal Registers. Map 8 illustrates the boundary of the Village Historic District.

The Greenport Village Historic District consists of a dense concentration of (primarily wood frame) residential and commercial structures radiating out in a fan shape from the Village's Main Street waterfront business district (on the south). This large district comprises surrounding areas of nineteenth and early twentieth century development. The district includes all of Main, First and Carpenter Streets, the 600 block of Second Street, and structures on east-west streets that intersect with Main and Carpenter. The district is defined on the east and south by Greenport Harbor and on the north and west by adjacent residential and commercial areas comprised of altered historic or modern structures.

There are 264 buildings within the nominated district, with 254 contributing historic structures and ten non-contributing structures. The entire collection of historic resources represents all periods of settlement and growth in the Village. Stirling Street, just south of Stirling Bay, comprises the nucleus of Greenport's early settlement. Although somewhat altered, Stirling Street contains examples of simple frame Long Island residences dating from the mid-eighteenth century; examples include 190 Stirling Street (c. 1750) and 165 Stirling Street (c. 1760). Lower (south) Main Street is the most densely developed area within the district and contains primarily frame commercial structures dating from Greenport's rapid mid-to-late nineteenth century development. Some are primarily functional, exhibiting few stylistic details (102-106 Main, c. 1880; 111 Main, c. 1845; 112 Main, c. 1895; 118 Main, c. 1900; 138 Main, c. 1870). Other commercial structures are more ornate; examples in this group - 208 Main (c. 1860), 210-212 Main (c. 1880), 219 Main (c. 1850) - were constructed or remodelled in the Italianate style.

The middle section of Main Street (between Park and Broad Streets) and Carpenter Street retain dense collections of residences representing the various phases of nineteenth century Village development. Although many of these structures are simply designed, some illustrate popular American architectural styles including the Federal Period (635 Main Street), the Greek Revival (505 Main Street and 634 Carpenter Street), and the Italianate (433 Main Street).

Upper Main Street (south of Webb Street), First Street, and sections of Bay and Central Avenues contain large concentrations of mid-to-late nineteenth century, middle-class Village residences. Many of these primarily single family frame houses were modestly decorated in architectural styles fashionable during the last half of the nineteenth century. Simple and ornate variations of the Italianate and Second Empire styles are widely represented along First Street, and mid-nineteenth century Greek Revival residences can be found in each of the areas mentioned above.



This map was prepared for the New York State Department of State's Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

SCALE: 1" = 872'  
0 436 872

Fanning Pt

<b>HISTORIC DISTRICT</b>		<b>M A P 8</b>
<b>LOCAL WATERFRONT REVITALIZATION PROGRAM</b>	<b>VILLAGE OF GREENPORT</b>	

Northern Main and Stirling Street in Greenport's Murray Hill neighborhood contain notable turn-of-the-century (1900) examples of the Queen Anne and Colonial Revival Styles including 802 Main (c. 1900), 809 Main (c. 1895), 817 Main (c. 1900), contrasting in scale and detail, with several largely intact early twentieth century bungalows at 171, 173, 182 Stirling Street. An intact vernacular bungalow also appears at 642 Carpenter Street. Notable examples of the colonial Revival style are found at 14 Broad Street (c. 1910) and 152 Central Avenue (1903).

Turn-of-the-century houses constructed for the working class, rather than for merchants, ship captains, or ship owners, are primarily located on the cross streets east and west of Carpenter. Included in this category are two duplexes at 126 - 128 and 135 - 137 Ludlam Place, both with simple Queen Anne style detailing, constructed by local architect/builder Jesse Reeve. In addition, examples of a mid-nineteenth century local residential building type consisting of a two-story, three-bay gable roofed house, often L-shaped in plan, are found throughout the district. This house type was frequently used by local builders and often incorporates simple Greek Revival and Italianate style details. Components of this group include : 912 Main, c. 185 (built by Hudson Corwin); 141 Central Avenue, c. 1890; and 617 and 621 Second Street, c. 1875 and 1870 respectively.

Generally, the Greenport Village Historic District is densely developed yet low in scale (two to three stories). The buildings which constitute the district represent the largest concentration of relatively unaltered historic resources within the Village. The structures which lie outside the nominated district to the west in both the commercial (Front Street) and residential areas have experienced extensive alteration and/or these areas contain new construction and do not possess sufficient architectural integrity to be included within the Greenport Village Historic District.

The Village's significant historic resources are a primary reason why tourism has increased steadily over the past few years, thereby supporting and stimulating the economy. Preservation of these resources is important if the Village is to maintain its attractiveness to residents and visitors alike.

The Village intends to create an historic preservation local law to protect not only the historic resources found within the historic district listed on the State and Federal Registers of Historic Places, but to protect the significant resources found throughout the Village.

Two, one-mile square sites shown on the New York State Historic Preservation Office Site File Map, and one, one-mile diameter site shown on the New York State Archeological Site Locations Overlay Map, are sites within or near the Village of Greenport having the potential of being archeologically significant. These figures are centered on points of high archeological sensitivity at locations of known archeological sites. Sites of archeological sensitivity may also exist outside the boundaries of these figures. Whether a proposed project is located within or outside these

figures, a field reconnaissance survey, conducted under the guidelines of the New York State Education Department, will be done before an assessment of a projects potential impact on archeological resources is determined. In addition, the State Office of Parks, Recreation, and Historic Preservation will also be consulted to determine whether significant archeological resources are present at the site and what measures are necessary to preserve these resources. All practicable means shall be used to preserve significant archeological resources.

#### 5. Dredging Activity

Two locations in Village waters require dredging on a periodic basis. One location is the Federal Navigation Channel in Stirling Basin, particularly at the entrance to the Basin, and the other location is the commercial fishing dock at the LIRR property. From the time the Federal Navigation Channel was completed in 1939, Stirling Basin has been dredged three times, in 1959, 1963 and 1976. The amount of cubic yards dredged were 163,900, 129,200, and 12,000, respectively. Wetlands by the St. Agnes Cemetery were formerly used as a disposal site. The current disposal site is the back side of the inlet adjacent to Beach Lane. The dredge spoil material is used for beach nourishment. Dredging activity is required in this area to allow pleasure and commercial fishing vessels to pass freely in and out of Stirling Basin.

The other location where dredging has occurred, in the vicinity of the commercial fishing dock, was last dredged by Suffolk County in 1983. The purpose of dredging in this area is to ensure sufficient depths for large commercial fishing vessels to gain access to the newly constructed fishing dock. The quantity of dredge spoil amounted to 41,700 cubic yards and was disposed offshore between Greenport Harbor and Dering Harbor in Shelter Island Sound.

#### 6. Traffic and Parking

Primarily due to tourism, the passenger ferries of Orient Point and Shelter Island, and the resulting vehicular use, high traffic volume is a major problem during the summer season in Greenport's CBD. Traffic circulation, parking and pedestrian improvements are urgently needed. Residents and particularly merchants of the Village have serious concerns about safe and convenient traffic circulation and the provision of adequate parking. Specific concerns include the following:

- a. The problem of all-day parking in front of business establishments by owners and employees.
- b. The need for additional off-street parking facilities with convenient access.
- c. Difficulty in meeting zoning requirements which require off-street vehicle parking spaces for each employee and for each 300 square feet of floor area in the commercial and waterfront districts.

- d. Traffic congestion, especially during summer months, on Front and Main Streets.
- e. The ability of Front and Main Streets to comfortably handle commercial traffic.
- f. An anticipated worsening of traffic conditions because of the projected 100 percent passenger increase in Cross Sound Ferry service from Orient Point to New London.
- g. Projected congestion in the vicinity of Wiggins and Third Streets due to the expected increase in Shelter Island Ferry traffic.

A traffic study will be conducted to further analyze these concerns and to offer possible solutions.

## 7. Population and Housing Characteristics

### Population

According to the United States Bureau of the Census, the population of the Village in 1980 was 2,273. The 1987 population, according to the Southold Town Clerk's Office, was 2,475, an 8.8 percent increase over the 1980 population. This increase is attributed to the construction of condominiums on the Village's waterfront and the rehabilitation of Greenport's old housing stock.

### Housing

In general, the housing stock in Greenport is good, but aging and in tight supply. The Village, through its successful rehabilitation efforts, has been providing necessary technical and financial resources to assist owners and to improve the condition of the housing stock. The Village has also been successful in the past few years in providing affordable housing for young families. Unfortunately, however, opportunities for young families and senior citizens are very limited at this point due to the tight supply, as previously mentioned, and high cost of housing.

## 8. Community Services and Facilities

### Emergency Services

Emergency services are provided by the Village's own Police and Fire Departments. The Police Department is currently located in a small commercial structure at the southern end of Main Street, but will relocate to one of the terminal buildings on the LIRR property. The Department has a full-time force of three officers, and some part-time employees. The Fire Department is an exclusively volunteer organization which maintains two fire stations, a principal, modern facility on Third Street north of Center Street, and a secondary location on Flint Street, between Fifth and Sixth Streets. The Greenport Fire Department owns and maintains a full range of equipment, including pumpers and ladders. The volunteer fire

department is also responsible for the operation of the Village's Rescue Squad which is staffed by volunteer EMT's and AEMT's with advanced life support capability.

#### Village Offices

All Village administrative offices are located in the Village Hall at the southeast corner of Third and South Streets. Though well-situated, this building, once owned by the New York Telephone Company, is only marginal for current office functions and is certainly inadequate for meetings of the Village Board, the Planning Board, or related bodies. The building also lacks suitable handicapped access, particularly to the second floor meeting room.

### 9. Municipal Utilities

The Village of Greenport is fortunate to have its own utility plants for water, sewage, and electricity. These utility plants not only provide services to the incorporated Village but, in varying degrees, to surrounding portions of the Town of Southold. Because of the availability of these services, there is an increasing demand for them by developers, as well as existing residents and businesses. There is concern that any further increases in these services to areas outside the Village will prevent Greenport from providing for its own planned development.

#### Water Supply

The public water system in the incorporated Village of Greenport was established in 1887 and has been expanded over the years to service not only the incorporated limits but also a considerable area within the surrounding Town of Southold. Approximately a third of the Town's population is served by the Village's water supply system. The population served in 1982 was 7,568 (2,365 service connections).

The water delivered by the Village's system is pumped from the underlying aquifer by a number of Village well fields located within the Village and Town of Southold. Unfortunately, contamination of the underlying aquifer in the Village of Greenport and throughout the entire north fork of Long Island has occurred, primarily from agricultural chemicals, including nitrates and pesticides. Due to over-pumpage from accelerated population growth, the relatively shallow, thin aquifer of the North Fork has also been adversely impacted by salt water intrusion.

To maintain the quality of potable water in the Village's water supply system, the Village works closely with the Suffolk County Department of Health Services and the New York State Department of Health. Monitoring systems are currently in place to regularly check the water quality from Village well fields. Other methods employed to insure that potable water is made available from the Village system include: the use of well filtration systems; chemical treatment; alternate use of Village wells; and drilling of new well fields.



Currently two pilot projects are underway to explore the feasibility of providing potable water through alternative means. One project is the development of an ion-exchange system to remove excessive nitrates from Village water supplies. The Environmental Protection Agency is providing the funding for this project and the Suffolk County Department of Health Services is providing design expertise. The other project is the development of a de-salinization facility designed to convert salt water into potable water. Financing for this project is being provided by the New York State Energy and Research Development Authority, the Suffolk County Department of Health Services, and the Village.

In order to meet immediate water supply needs anticipated as a result of the Village's revitalization efforts, the development of additional well fields is likely in the near future. There is also a need for an analysis of required, or desirable, improvements to the Village's water distribution system. Potential areas of concern are the long term need for enlargement of mains in the Fifth and Sixth Street area where high-density residential development is occurring; extension of a 10 inch water line along Second Street to Front Street to better service the waterfront; and extension of a 10-inch main from North Street to the Eastern Long Island Regional Hospital to provide for increased water service and fire protection requirements at that location.

A comprehensive water study, which will analyze the Village's existing ground water quality and quantity conditions, and provide recommendations to meet the Village's future groundwater needs, is currently being prepared. The Town of Southold is also preparing a ground water resources management program for the entire Town. The Village and the Town will maintain ongoing communication about their groundwater problems and needs and will coordinate their actions so groundwater resources are managed most effectively.

#### Sewage System

The Greenport sewage treatment plant is located on Moore's Lane at the western edge of the Village. The treatment plant is a secondary treatment facility, with aeration, clarification and chlorination additions. The plant is capable of removing 85% of suspended solids and reducing the bio-chemical oxygen demand by the same amount. The majority of the sewage treated at the plant is human waste. The effluent from the plant is chlorinated and discharged into Long Island Sound.

In 1986 a scavenger waste facility was built in the Village next to the Village's existing sewage treatment plant. This facility is owned by the Town of Southold, but is operated and maintained by the Village of Greenport. Sewage waste pumped from septic tanks in the Town of Southold is treated in this system on a daily basis. After the sewage is treated in the scavenger waste system, it is treated again in the Village's treatment plant and discharged through the Village's outfall pipe into Long Island Sound. It is anticipated that this sewage treatment process will ultimately improve the quality of ground water and surface water resources in the Village and Town.

The sewage treatment plant services 869 customers within the Village, 45 outside its incorporated boundaries, and the treated sewage from the scavenger waste facility. Present average daily flow is 250,000 to 400,000 gallons, depending upon season.

The existing plant, however, is not sufficiently sized to fully handle the increased sewage loads from projected new development within the Village and the Town. Development and population increases within the Village are projected to add at least 140,000 gallons per day to the sewage load within the next ten years. Development contributing to increased sewage loads include: the high-density residential projects occurring at Fanning Point; the potential hotel/conference center project; the installation of marina pumpout stations, hospital expansion, other commercial development and moderate population increases throughout the Village and Town.

The Village is working with County and State officials to resolve recently identified discharge problems related to the Village's sewage system and to establish a plan for upgrading the plant.

#### Municipal Electric System

The Village's public-owned electric utility was established in 1899 through purchase of the Greenport Electric Light and Power Company which had operated since 1887. The system presently services 1,688 customers divided into 1,366 residential accounts, 245 commercial accounts, 7 industrial accounts and 50 classified as "other". Population served is approximately 3,000.

Over the course of its history, the Greenport power plant has generated electricity in several ways. From its inception in 1887 until the installation of the first diesel engine in 1927, the plant was wholly reliant on steam to generate power. Today, electricity for the Village of Greenport is purchased from the Power Authority of the State of New York (PASNY), which results in rates to users approximately 45 percent less than those served by the Long Island Lighting Company (LILCO). The Village's firm purchase contract for low-cost PASNY hydro-power became effective in April 1978 and expires in 1996.

PASNY power is supplied to the Village's electric utility plant by a single 5.0 megawatt tie line from LILCO's substation on Route 25 west of Greenport. A problem of any nature on this tie line could result in total loss of PASNY commercial power to the Village. Plans for future system improvement include the installation of a second tie line from LILCO's primary line on County Route 48.

Projected growth within the incorporated Village will likely increase peak electrical requirements. As with water and sewer, detailed study and careful planning with regard to future electrical requirements is warranted.

SECTION III

WATERFRONT REVITALIZATION PROGRAM POLICIES

### SECTION III. WATERFRONT REVITALIZATION PROGRAM POLICIES

#### DEVELOPMENT POLICIES

POLICY 1 RESTORE, REVITALIZE AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL AND INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.

POLICY 1A REVITALIZE GREENPORT'S WATERFRONT AREA BY REDEVELOPING DETERIORATED/UNDERUTILIZED PROPERTIES AND BUILDINGS FOR APPROPRIATE COMMERCIAL AND RECREATIONAL USES.

#### Explanation of Policy

Greenport's economic and social vitality depends significantly on: 1) the type of redevelopment and rehabilitation in the waterfront area; and 2) the maintenance and appropriate expansion of water-dependent uses in the waterfront area (See Map 4, Existing Land Use). The Village derives its character, identity and economy from its relationship to the surrounding waterfront environment, which extends from Young's Point along Stirling Basin and Greenport Harbor southwest to Fanning Point. Due to its location on a deep water channel, which provides access to the Atlantic Ocean through Gardiner's Bay, Greenport has served as Eastern Long Island's major port. Since the 1830's, it has primarily been the whaling, fishing and shipping/boating industries that have provided the Village with its economic base, employing thousands on its waterfront. The Village's economic base still depends on the water-dependent industries of fishing and shipping/boating.

In recent years, tourism and the second home industry have increased significantly in the Village. Both these industries contribute significantly to the Village's economy and are a desired commodity; however, future development on the Greenport waterfront shall be carefully sited to ensure that Greenport's waterfront heritage is not lost. Greenport's heritage as a waterfront community, relying on its direct association with the sea, shall be reinforced and preserved.

Deteriorated/underutilized properties in Greenport are located in the following waterfront areas:

#### Waterfront Area 1

This area extends from Young's Point along Stirling Basin to S.T. Preston and Son, Inc. The only deteriorated property is the Barstow site.

#### Waterfront Area 2

This area includes S.T. Preston and Son, Inc. along Greenport Harbor to and inclusive of the Long Island Railroad property. This area includes the following deteriorated/underutilized sites: Mitchell and the vacant portion of Bohack.

### Waterfront Area 3

This area extends from just south of the the Long Island Railroad property along Greenport Harbor to the west of Fanning Point. The only underutilized/deteriorated property is the Mobil site. This site is designated for park and open space use; however residential use is a permitted use for the site.

The range of acceptable water-dependent and water-enhanced uses allowed on the waterfront and on underutilized/deteriorated properties, excluding the Mobil Site, are presented in Policy 2.

POLICY 1B REVITALIZE GREENPORT'S CENTRAL BUSINESS DISTRICT BY RESTORING UNDERUTILIZED PROPERTIES AND BUILDINGS FOR APPROPRIATE RETAIL COMMERCIAL AND OTHER COMPATIBLE USES.

### Explanation of Policy

The Village CBD consists primarily of the retail activity that takes place in and about Front and Main Streets. The existing and permitted uses in the CBD are retail stores, personal service shops, offices, restaurants, hotels, and public and semi-public facilities. Revitalization in this retail area will be accomplished through a comprehensive program of infill development, facade rehabilitation, and streetscape improvements. A Central Business District Design Plan shall be developed with standards and guidelines to regulate the character of the revitalization activity.

Since the center of retail and waterfront activity in the Village is concentrated in the CBD and the adjacent Waterfront Area 2, the quality and coordination of land development in these two areas is of particular importance if the Village is going to maintain and improve upon its economic vitality and visual attractiveness. An important objective of this revitalization effort involving these two areas is the provision of a pedestrian walkway system from Front Street through properties in the CBD and adjacent Waterfront Area 2 to a waterside harborwalk. This pedestrian system will provide convenient public access to and from the CBD and adjacent Waterfront Area 2, and visually appealing open space and needed visual access to the Greenport waterfront. (See Policy 20A).

### Development Standards and Guidelines

The following development standards and guidelines shall be adhered to for all development in the waterfront and CBD:

- Parking. Adequate off-street parking shall be provided for all uses. Parking areas shall be sufficiently drained so as to contain all drainage on site and to prevent ponding. Whenever feasible, parking areas shall be placed at the rear of buildings and/or screened by plantings so as not to be highly visible from the waterfront and Village streets.
- Access. Vehicular ingress and egress, interior traffic circulation, parking space arrangement, loading facilities and pedestrian walkways shall be planned and built so as to promote safety and efficiency. Wherever possible, public access shall be provided to the Village's waterfront to the maximum extent practicable.

- Physical compatibility. In order to foster and maintain the small scale seaside character of the Village, all new developments and structures shall not exceed 2 stories or 35 feet in building height, and the building lot coverage shall not exceed 40% of the lot. A minimum front yard of 6 feet is required. If the subject lot is not within 25 feet of a residence district boundary no minimum setback is required. If one is provided it must be a minimum of 10 feet.
- Preservation of land for water-dependent uses. Water-dependent uses shall have priority over water-enhanced uses.
- Visual considerations. Adjacent and upland views of the water shall be improved, and at a minimum, development activities must not affect existing views in an insensitive manner. Structures shall be clustered or oriented to retain views, save open space, and provide spatial organization to development.
- Landscaping. Screening with trees or other plantings may be required for parking and other disturbed areas which are created. A landscaping plan demonstrating that suitable vegetation will be planted and nurtured may be required. Such a plan shall become a part of the approved site plan. The original landform of a site should be maintained or restored, except when changes screen unattractive elements and/or add appropriate interest.
- Protection of residential areas. When the site is located adjacent to residences or a residence district, appropriate buffer landscaping, natural screening and fencing are to be provided in order to protect neighborhood tranquility, community character, and property values. A minimum side yard and rear yard setback of 10 feet is required for lots within 25 feet of a residence district boundary.
- Lights. Lighting facilities and lighted signs shall be placed and shielded in such a manner as not to cause direct light to shine on other properties, and shall not be permitted to create a hazard on a public street.
- Water supply and waste disposal. All development shall be served by the Village's public water supply and sewage system. On site solid waste disposal containers shall be adequately screened from view.

POLICY 2 FACILITATE THE SITING OF WATER-DEPENDENT FACILITIES ON OR ADJACENT TO COASTAL WATERS.

Explanation of Policy

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 that water-dependent uses can continue to be accommodated within the Village, government agencies will avoid undertaking, funding, or approving non-water-dependent uses when such uses would preempt the reasonably foreseeable development of 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:

- Uses which depend on the utilization of resources found in coastal waters (for example: fishing);
- Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);
- Uses involved in the sea/land transfer of goods (for example: docks, loading areas, short-term storage facilities);
- Structures needed for navigational purposes (for example: navigational devices, lighthouses);
- Flood and erosion protection structures (for example: breakwaters, bulkheads);
- Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
- Uses requiring large quantities of water for processing (for example: fish processing plants);
- Scientific/educational activities which, by their nature, require access to coastal waters (for example: certain meteorological and oceanographic activities); and
- Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: first aid stations, short-term storage facilities). Though these uses must be near the given water-dependent use 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, although not at the expense of water-dependent uses, along the shore. 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.

If there is no immediate demand for a water-dependent uses in a given area but a future demand is reasonably foreseeable, temporary non-water-dependent uses should be considered preferable to a non-water-dependent use which involves an irreversible, or nearly irreversible commitment of land. Passive recreational facilities, outdoor storage areas, and non-permanent structures are uses or facilities which would likely be considered as "temporary" non-water dependent uses.

In Greenport, water-dependent and water-enhanced uses are allowed within the following locations of the three waterfront areas:

### Waterfront Area 1

Along the entire waterfront area except the following areas: the Sandy Beach Sandspit which is developed with residences; the cemetery located on the east side of Stirling Basin; and two small shoreline areas, developed with residences, located north of Carpenter Avenue and south of Bay Avenue. Eleven (11) major water-dependent firms are located in this waterfront area.

### Waterfront Area 2

Along the entire waterfront area. Four (4) major water-dependent firms, plus the LIRR commercial fishing dock, are located in this waterfront area.

### Waterfront Area 3

Only at the tip of Fanning Point on the west and east side of Fifth Street Park. No major water-dependent firms are currently located in this waterfront area.

The following water-dependent and water-enhanced uses are allowed within the three waterfront areas.

### Permitted Uses

- (1) Public and private yacht clubs, marinas, and docking facilities.
- (2) Municipal parks and facilities.
- (3) Boat launching facilities.
- (4) Tour boats, commercial, charter, and party fishing boats.
- (5) Boat sales, rental, service, repair, and storage.
- (6) Shipbuilding yards including facilities for building, repairing, and maintaining boat engines and other marine equipment.
- (7) Manufacture of items related or incidental to the operations associated with boat building.
- (8) Fish and shellfish processing plants.
- (9) Retail sale of equipment, goods, supplies, materials, tools, and parts used in connection with boating and fishing.
- (10) Retail and wholesale of seafood products.
- (11) Solely retail fuel storage and sales for boats.
- (12) Boating instruction schools.



- (13) Oceanographic, or marine-related, scientific research and equipment manufacture and testing.
- (14) Maritime museums.

Conditional uses

- (1) Motels, boatels, and hotels which may include conference facilities.
- (2) Eating and drinking establishments.
- (3) Retail sale and manufacturing of retail products.
- (4) Marine related business offices which handle matters principally related to the design, manufacture, service, storage, purchase, sale, and lease and insurance of boats and related marine equipment; fishing and other marine harvesting; and fish processing.
- (5) Hospitals for human health care.

Where the subject property abuts the water, conditional uses shall be permitted when established in accord with the following conditions:

- (a) Conditional uses and related accessory uses shall not exceed more than 70% of the allowed lot coverage.
- (b) Such use or combination of conditional uses shall not be permitted over surface waters.
- (c) Consideration shall be given to the quality and extent of views from the adjacent public streets through the property to the water as well as the design and relationship of development to the waterfront as viewed from the water.

Where the subject property does not abut the water, conditional uses shall be permitted when established in accord with condition (c) above.

POLICY 3 THE STATE COASTAL POLICY REGARDING MAJOR PORTS IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

POLICY 4 STRENGTHEN THE ECONOMIC BASE OF SMALL HARBOR AREAS BY ENCOURAGING THE DEVELOPMENT AND ENHANCEMENT OF THOSE TRADITIONAL USES AND ACTIVITIES WHICH HAVE PROVIDED SUCH AREAS WITH THEIR UNIQUE MARITIME IDENTITY.

Explanation of Policy

The Village of Greenport is an outstanding example of an historic small harbor with a maritime identity. During the nineteenth century whaling and shipbuilding provided the Village with its economic base. The shellfish and finfish industries prospered in the early twentieth century after the whaling industry had declined. A revival of the shipbuilding industry

occurred in the Village during World War II when most of Greenport's shipyards were constructing naval vessels for the government.

Due to the increased demand and development of waterfront properties for recreational boating marinas, and high-density residential use, not as much of Greenport's waterfront is used for the traditional industries of commercial fishing and shipbuilding as in the past. However, much of Greenport's rugged shoreline is still characterized by the traditional uses associated with commercial fishing and shipping/boating. These uses are particularly concentrated in Waterfront Areas 1 and 2. Traditional uses found within these waterfront areas include: ship repair, building and storage yards; fish marketing, processing and packaging; dockage facilities; marine contracting for docks, jetties and bulkheads; and marine supplies. It is the presence of these traditional maritime uses, their related sounds, the smell of the salt air and freshly caught fish, the noise and visual impact of harbor and sea bound vessels, and the architecturally rich resources of the Village which comprise the traditional maritime character of Greenport.

This historic maritime tradition will be maintained and encouraged to grow and prosper in Waterfront Areas 1 and 2 through the following means:

- the provision for only water-dependent uses and water-enhanced uses;
- the continued use of the existing commercial fishing dock by large transient commercial fishing vessels;
- the construction of an additional fishing dock for use by locally operated small commercial fishing vessels;
- the redevelopment of the Barstow shipyard site to provide commercial fishing support services such as ice, weighing, fuel, packaging, unloading, shipping, and minor repair facilities.

The following guidelines and standards will be used to determine the consistency of proposed actions with this policy:

1. The action shall give priority to those traditional and/or desired marine uses which are dependent on a location adjacent to the water (e.g. dockage and support facilities for commercial fishing vessels; fish marketing, processing and packaging; ship yards, repair, building and storage; and marine maintenance and supply services).
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 Village's existing economic base e.g., waterfront development designed to promote residential development is inappropriate since the Village's economy is primarily dependent upon boating, tourism, and commercial and recreational fishing.
6. The action will not detract from views of the water, particularly where the visual quality of the area is an important component of the area's appeal and identity.

See Policies 1, 2, 10, and 23.

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 NECESSITATES ITS LOCATION IN OTHER COASTAL AREAS.

POLICY 5A MAINTAIN AND WHERE NECESSARY IMPROVE PUBLIC SERVICES AND INFRASTRUCTURE WHICH SERVE THE VILLAGE WATERFRONT AREA AND CENTRAL BUSINESS DISTRICT TO ASSURE THEIR CONTINUED AVAILABILITY TO MEET EXISTING AND LIMITED FUTURE DEVELOPMENT NEEDS.

Explanation of Policy

Greenport serves as the commercial and business center for the eastern sector of Southold Town due to its concentration of relatively small scale motels, retail shops and stores, and water-dependent commercial and recreational uses in its central business district and waterfront areas. All areas of the Village, as well as some areas outside the Village in the Town of Southold, are served by Village-owned sewer, water, and electric utilities. In the Village CBD and adjacent waterfront area, intensive land uses such as shipyards, fish processing plants, marinas, motels, restaurants, offices, retail shops, banks and personal service shops are concentrated. As underutilized properties in the Village CBD and waterfront area are redeveloped and existing uses are expanded, there will be an increased demand on utilities. An immediate increase in demand on Village utilities has already been caused by the development of residential condominiums in the waterfront area at Fanning Point. In anticipation of this increased demand for Village utilities, the capacity of the Village sewage treatment system will be expanded; a comprehensive water needs and availability study will be conducted; and the lease with the Power Authority of New York State, to serve the Village's electricity needs to 1996, has been recently renegotiated.

Local, State and Federal agencies charged with allocating funds for investments in water and sewage facilities should give high priority to the infrastructure needs of the Village's CBD and waterfront area, so that the Village will be able to provide the essential infrastructure components necessary to adequately serve water-dependent and water-enhanced uses located in these areas.

POLICY 6 EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.

For development of permitted water-dependent uses and permitted water-enhanced uses at deteriorated and/or underutilized sites within the Village's waterfront commercial areas, the 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. The Village's efforts in expediting permit procedures are part of a much larger system for regulatory 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 THE STATE COASTAL POLICY REGARDING THE PROTECTION OF SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

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 SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

Explanation of Policy

Hazardous wastes are unwanted by-products of the manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in the Environmental Conservation Law (Section 27-0901(3)) as "a 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." A list of hazardous wastes has been adopted by DEC (6NYCRR, 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 accumulation in the State's coastal fish and wildlife resources at levels that cause mortality or create physiological or 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's laws.

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.

SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

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.

Recreational fishing is a major activity in the Village of Greenport. The public fish from boats, piers, and bulkheads along the shoreline. The recent increase in seasonal residents and vacationers has resulted in increased demand for dock space for recreational boats. Some of this demand may be met by the redevelopment of the Mitchell property (Policy 1).

Recreational use of existing publicly- and privately-owned waterfront areas for on-shore recreational fishing and the passive enjoyment of waterfowl and other wildlife resources can be improved through the development of the harborwalk (Policy 20A) and street-end parks (Policy 20).

The following guidelines should be considered by State and Federal agencies as they determine the consistency of their proposed action with the above policy.

- Consideration should be made by Federal and State agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.
- 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.
- The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis.
- 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 FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY: (i) ENCOURAGING THE CONSTRUCTION OF NEW, OR IMPROVEMENT OF EXISTING ON-SHORE COMMERCIAL FISHING FACILITIES; (ii) INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS; and (iii) MAINTAINING ADEQUATE STOCKS AND EXPANDING AQUACULTURE FACILITIES. SUCH EFFORTS SHALL BE IN A MANNER WHICH ENSURES THE PROTECTION OF SUCH RENEWABLE FISH RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

POLICY 10A ENCOURAGE THE DEVELOPMENT OF NEW, OR EXPANDED COMMERCIAL FISHING FACILITIES IN GREENPORT, AND PROTECT EXISTING COMMERCIAL FISHING FACILITIES FROM ENCROACHMENT BY POTENTIALLY CONFLICTING LAND USES.

Explanation of Policy

Due to Greenport's natural deep water harbor which can easily accommodate large fishing vessels, its commercial fishing heritage, and strategic location with respect to fishing grounds and coastal market areas, Greenport is an important part of New York's commercial fishing industry. All of Greenport's commercial fishing facilities are privately-owned and operated, with the exception of the publicly-owned commercial fishing dock at the LIRR property. See Section II, D for a list and description of commercial fishing facilities in the Village.

In recent years, there has been an increase in demand for recreational marina and dock space, waterfront high-density residential use, and water-enhanced uses geared to the tourist industry, such as restaurants, hotels and retail shops. In order to reduce the encroachment of water-enhanced uses on water-dependent uses, only water-enhanced uses of a compatible nature shall be conditionally permitted in the Village's waterfront commercial area. (See Policies 1, 2 and 4).

In order to provide for the development of new or expanded commercial fishing facilities in Greenport the following shall occur:

- Redevelopment of the Barstow shipyard site to provide commercial fishing support services.
- The development of a fishing dock for use by locally operated commercial fishing vessels.

The following guidelines should be considered by government agencies as they determine the consistency of their proposed action with the above policies and specific plan recommendations listed:

- A public agency's commercial fishing development initiative should not pre-empt or displace private sector initiative.
- A public agency's efforts to expand existing or create new on-shore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.
- Consideration should be made by State and Federal agencies whether an action will impede existing utilization or future development of the State's commercial fishing resources.
- Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

FLOOD AND EROSION 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.

Within flood hazard areas (See Map 3, Natural Characteristics), the following standards for construction and siting of development shall apply:

- All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and in the case of sanitary sewage systems shall be designed to minimize or eliminate discharge from the system into flood waters.
- On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- All subdivision proposals shall be consistent with the need to minimize flood damage.
- All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less).
- New residential construction and substantial improvements to any residential structure shall have the lowest floor, including basement, elevated to or above base flood level elevation.
- New non-residential construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or
- be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

- have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- be certified by a registered professional engineer or architect that the standards of this subsection are satisfied.

In Coastal High Hazard Areas (Zones V4, V5 and V7), where special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash occur, (See Map 3, Natural Characteristics), the following standards shall apply:

- All structures shall be located landward of the reach of mean high tide.
- All buildings and structures shall be elevated so that the lowest portion of the structural members of the lowest floor is located no lower than the base flood elevation level, with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls.
- All buildings and structures shall be securely anchored on pilings or columns.
- Pilings or columns used as structural support shall be designed and anchored so as to withstand all applied loads of the base flood flow.
- There shall be no fill used for structural support.
- Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor unless breakaway walls are used.
- Breakaway walls shall be allowed below the base flood elevation provided they are not a part of the structural support of the building and are designed so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used.
- If breakaway walls are utilized, such enclosed space shall not be used for human habitation.
- Prior to construction, plans for any structure that will have breakaway walls must be submitted to the Building Inspector for approval.

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. PRIMARY DUNES WILL BE PROTECTED FROM ALL ENCROACHMENTS THAT COULD IMPAIR THEIR NATURAL PROTECTIVE CAPACITY.



### Explanation of Policy

Natural protective features help safeguard coastal lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of coastal features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of these landforms.

Beach areas and sand dunes are the only significant natural protective features found along the Greenport waterfront. The alteration of sand dunes, which would increase potential flood damage, is prohibited. Since much of Greenport's waterfront area is developed with bulkheads, non-contiguous, relatively small areas of beach are found in the waterfront area. (See Section II, for a more in-depth description of Village beach areas). Beaches are unsuitable for commercial or residential development due to the unstable and dynamic nature of beach soils. Since disturbance of beach soils by development can adversely affect their protective capacity, residential and commercial development is prohibited on beach areas in the Village. Activities or development in close proximity to Village beach areas shall ensure that all potential adverse impacts are minimized. The planting of maritime shrubs and beach grass is encouraged on beach areas in the Village to help stabilize these areas, particularly the beach area of Sandy Beach and the adjacent beach areas located on the basin side of Beach Lane. Existing maritime shrubs and beach grass shall not be removed from any beach area in the Village. See Policy 33.

POLICY 13 THE STATE COASTAL POLICY REGARDING THE PROTECTION OF EROSION PROTECTIVE FEATURES IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

POLICY 13A THE CONSTRUCTION OR RECONSTRUCTION OF DOCKS, SEAWALLS, REVETMENTS, BULKHEADS, BREAKWATERS, 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 FOR A THIRTY YEAR PERIOD.

### Explanation of Policy

Significant portions of the Village's shoreline are developed with bulkheads and docks to provide docking convenience for ships using the harbor.

Today, approximately two thirds of the Village's shoreline is bulkheaded and in many instances docks protrude from the bulkheaded shoreline. This is particularly true in the Waterfront Areas 1 and 2 where the shoreline is intensively developed with waterfront commercial uses. Shoreline sites that are the least developed with bulkheads are located on the southeast side of Stirling Basin and along isolated segments of Waterfront Area 3.

Bulkheading of remaining undeveloped shoreline areas in the Village is strongly discouraged. When the need to bulkhead a shoreline area in the Village is necessary the bulkhead shall:

- be placed landward of any existing beach areas, maritime shrubland, or beach grass that may exist;
- be properly designed and constructed to minimize or prevent damage to public or private property;
- be designed and constructed according to generally accepted engineering principles, which have demonstrated success, or where sufficient data is not currently available, a likelihood of success in controlling long-term erosion on the immediate site for at least 30 years.

The construction, modification or restoration of docks, seawalls, revetments, bulkheads, breakwaters and other shoreline structures are subject to the following requirements:

1. They must be designed and constructed according to generally accepted engineering principles.
2. A long term maintenance replacement program must be provided, which includes specifications for normal maintenance of degradable materials and periodic replacement of removable materials.
3. All materials used in such structures must be durable and capable of withstanding wave impacts, ice movement, weathering, and other effects of storm conditions for thirty years or must be replaced as necessary.

See Policy 17.

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

Erosion and flooding are processes which occur naturally. However, by his actions, man can increase the severity and adverse effects of those processes, causing damage to, or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing run-off and erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage in otherwise hazard-free areas.

In order to reduce losses from flooding and erosion all development and land use activity in the Village of Greenport shall:

- not pose a threat to the public's health, safety, and welfare by having the potential to increase damage caused by flooding and/or erosion;
- not significantly alter coastal hazard areas or alter beach areas,

tidal wetlands, freshwater wetlands, water courses, and drainage swales found in the Village's waterfront area so that their ability to accommodate and channel storm water runoff and flood waters is decreased;

- fill, grade or dredge, to any extent which may increase flood damage; or
- create flood barriers which will unnaturally divert flood waters or increase flood hazards in other areas.

See Policies 11, 12, 33 and 44.

POLICY 15 MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.

Explanation of Policy

Coastal processes, including the movement of beach materials by water, and any mining, excavation or dredging in nearshore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation, and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands. Offshore mining is a future alternative option to landmining for sand and gravel deposits which are needed to support building and other industry.

In the Village of Greenport there is little natural beach material found along the Village's shoreline due to the heavily bulkheaded nature of its waterfront area. Small quantities of beach material are being supplied to the adjacent coastal areas from the Village waterfront, via natural processes.

Dredge spoil removed from the two Village locations where dredging will occur, Stirling Basin and the dock at the Long Island Railroad property, will be used for beach nourishment. The disposal site is the back side of the inlet adjacent to Beach Lane.

In addition, the following conditions must be met during dredging to assure that the Village's man-made and natural shoreline will not be undermined:

- the natural angle of repose for area sediments will not be oversteeped;
- dredging adjacent to bulkheads will be undertaken so that the depth of the area to be dredged does not exceed the toe of the bulkhead, and the bulkhead will not be undermined or weakened in any manner;
- dredging activity shall not alter the natural movement or flow of harbor waters in a manner that will increase the erosion potential of Village shoreline areas.

See Policy 35.

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.

Explanation of Policy

Public funds are used for a variety of purposes on the Village's shoreline. This policy recognizes the public need for the protection of human life and existing investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to spending public funds.

POLICY 17 WHENEVER POSSIBLE, USE NON-STRUCTURAL 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.

Explanation of Policy

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

This policy shall apply to the planning, siting, and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with this policy would require the use of such measures wherever possible.

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.

See Policies 11, 12, 13, 14, and 15.

GENERAL POLICY

POLICY 18 TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTEREST OF THE STATE AND 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.

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 has established to protect those waters and resources. Proposed actions must take into account the social, economic and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation, and recreation.

PUBLIC ACCESS POLICIES

POLICY 19 PROTECT, MAINTAIN, AND INCREASE THE LEVEL 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.

Explanation of Policy

The three publicly-owned waterfront recreational facilities within the Village are Fifth Street Park, Sandy Beach, and the Village/Town boat launching facility. The Village's Fifth Street Park is located in Waterfront Area 3 just west of Fanning Point; Sandy Beach is located in Waterfront Area 1 west of Young's Point; and the boat launch is located on the east side of Stirling Basin also in Waterfront Area 1. Transportation modes used to gain access to these waterfront recreational facilities include motor driven vehicles, bicycles, watercraft and foot. Access to these facilities by Village residents via existing Village streets and adjacent waterways is sufficient and shall be maintained. The existing level of public access to these facilities shall not be diminished. It is recognized, however, that opportunities for public access to and recreational use of the publicly-owned foreshore can be significantly improved, as discussed in Policy 20.

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

1. The existing access 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.

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 and waters.
- b. Public water-related recreation resources or facilities - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is 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) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting systemwide objectives.
  - (3) 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.
  - (4) There are substantial increases in the following: already existing special fares (not including regular fares in any instance) of public transportation to a public water-related recreation resource or facility, except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary; and/or admission fees to such a resource or facility, and an analysis shows that such increases will significantly reduce usage by individuals or families with incomes below the State government established poverty level.
- e. An elimination of the possibility of increasing public access in the future includes, but is not limited to the following:
  - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.

- (2) Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility.
  - (3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.
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 this 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 this policy.
3. The public-sector 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.

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.

Explanation of Policy

While such publicly-owned lands referenced in this 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.

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

1. Existing access from adjacent or proximate public lands or facilities to the existing public coastal lands and/or waters shall not be reduced, 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 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 of 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; (b) adequate access exists within one-half mile; or (c) agriculture would be adversely affected. 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. The public-sector 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. 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.

In Greenport, in order to provide access opportunities and to enhance the recreational use of the publicly-owned foreshore, modest improvements will be made to the following small waterfront areas located within Village-owned rights-of-way or on privately-owned property located between Village rights-of-way and the waterfront. Each site is of very limited size and not suitable for residential or commercial development. These sites shall be developed into mini waterfront parks for passive recreational activities, since they are unsuitable for intensive recreational activity. Improvements to these areas will include benches, viewing platforms, plaques containing notes of historical significance, refined pedestrian walkways to the waterfront and landscaping.

These sites are located in the following locations:

Waterfront Area 1

1. at the east end of Bay Avenue
2. the narrow section of land between Stirling Street and Stirling Harbor (privately-owned)



3. at the end of Stirling Place at the head of Stirling Basin;

Waterfront Area 2

4. at the east end of Wiggins Street (privately-owned)

Waterfront Area 3

5. at the LIRR site immediately south of the existing fishing dock

6. at the south end of Fifth Street and the area immediately to the east of Fanning Point.

In addition, public access as well as passive recreational activities will be provided for at the Mobil site (see Policy 21A).

POLICY 20A ACCESS TO THE PUBLICLY OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE SHALL BE PROVIDED THROUGH THE CREATION OF A HARBORWALK IN WATERFRONT AREA 2.

Explanation of Policy

Increased public access shall be provided to the maximum extent practicable through private and publicly-owned land in the Village, for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such activities include: fishing from a pier, deck or beach; walking along the waterfront; gaining access to vantage points from which to view the water or activities taking place in the harbor; birdwatching; and photography.

All waterfront development within Waterfront Area 2 (from and inclusive of S.T. Preston and Son, Inc., to and inclusive of the Long Island Rail Road property) shall be required, as law permits, to provide public access to the foreshore through the creation of a harborwalk. The walkway is to be constructed along the water's edge in an east-west direction from S.T. Preston and Son, Inc. to the LIRR property.

The harborwalk will become part of the overall pedestrian walkway system that will connect and provide convenient access to the Village's active waterfront, business area, and historic landmarks for the interest and enjoyment of the Village residents and visitors.

POLICY 21 WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER 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.

### Explanation of Policy

Water-related recreation includes water-dependent activities such as boating, swimming, and fishing, as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast, such as a pedestrian walkway system and scenic overlooks 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 existing traditional and/or desired anticipated uses associated with commercial fishing and ship related industries, fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, and provided demand exists, water-related recreation use is to be increased. Such use shall have a higher priority than any non-water-dependent use, including non water-related recreation use. In addition water-dependent recreation use shall have a higher priority over water-enhanced recreation use in areas near or adjacent to the shore. Determining a priority among water-dependent uses other than those listed above, 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 the Village'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. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pumpout facilities.

Private commercial waterfront recreational facilities such as marinas and yacht clubs are concentrated in Waterfront Areas 1 and 2. See Section II, for a list of private firms which provide water-dependent recreational facilities along the Village's waterfront. Recreational water-dependent uses and facilities that exist and are permitted in these areas include: yacht clubs; boat launching facilities; marinas; and dockage for charter fishing and other recreational vessels.

See Policies 1, 2, 4 and 10.

POLICY 21A REDEVELOP THE MOBIL SITE FOR PUBLIC WATERFRONT RECREATIONAL USE.

### Explanation of Policy

The Village will pursue acquisition of this 2.6 acre site and convert it to a municipal waterfront park for passive recreational purposes. Use of this site for passive recreation would complement the Village's Fifth Street Park, which is used intensively for active recreation use and to a lesser degree for passive recreation. The Mobil site has the potential to

provide water-oriented recreational opportunities such as boat launching, on-shore fishing, viewing waterfowl and other wildlife, viewing scenic Shelter Island Sound, and viewing commercial and recreational vessels entering and exiting Greenport Harbor. Conversion of this site to a water-oriented municipal recreational facility would significantly enhance the Village's waterfront recreational resources and opportunities for the public to gain access to the waterfront. The development of this site as a municipal park would be far more compatible with existing adjacent uses than the reuse of this site for commercial or industrial purposes.

Should the Village not be able to obtain this property for park purposes and it is eventually developed for another use, public access to and/or along the waterfront of this parcel shall, as law permits, be secured.

POLICY 22 DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, WILL 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.

#### Explanation of Policy

Certain 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.

Uses which are appropriate in the Village of Greenport coastal area and which can provide opportunities for water-related recreation as a multiple use include parks, maritime commercial uses and mixed use projects.

Prior to taking action relative to any development, State agencies should consult with the Village to determine appropriate recreation uses. The agency should provide the 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.

Whenever a proposed development would be consistent with CMP policies and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the shore, then such development should be encouraged to locate adjacent to the shore.

See Policies 19, 20 and 21.

#### HISTORIC AND SCENIC RESOURCES POLICIES

POLICY 23 PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.

#### Explanation of Policy

Among the most valuable of Greenport's man-made resources are those structures or areas which are of historic, archeological, 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. The policy is not to be construed as a passive mandate but must include effective 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.

The structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of Greenport, the State or the Nation comprise the following resources:

1. A resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places.
2. An archeological resource which is on the State Department of Education's inventory of archeological sites or the Office of Parks, Recreation and Historic Preservation's Archeological Site File.
3. A local landmark, park, or locally designated historic district that is located within the boundary of an approved local waterfront revitalization program.

Greenport's heritage as a nineteenth-century coastal fishing and trading center is discernible today because its built environment is fairly well preserved. Many Federal, Greek revival, and Victorian style buildings can be found throughout the Village. The existence of this well preserved, rich architectural and historic past is the primary reason why tourism has increased significantly in the Village in recent years.

Among the numerous resources of architectural and historic importance, one area, the Greenport Village Historic District, is on the National Register of Historic Places. See Section II, Inventory and Analysis, for a more in-depth discussion of the Village's historic district.

The Greenport Village Historic District includes the following areas:

- Main Street between the harbor on the south and the intersection of Washington and Bridge Streets on the north;

- First Street between the properties at 411 and 422 First Street and Webb Street;
- Carpenter Street between its intersection with Bay Avenue and its dead end on the north;
- Broad Street between Main Street on the east and First Street on the west;
- Ludlam Place, Central Avenue and Bay Avenue between Carpenter Street on the west and the harbor on the east; and
- Stirling Street between its intersection with Main Street on the west and the properties at 160 and 165 Sterling Street on the east.

In the near future, in cooperation with the N.Y.S. Office of Parks, Recreation, and Historic Preservation, additional historic resources outside of the historic district may be identified for nomination to the State and Federal Registers.

The following guidelines and standards apply to construction activity within the Greenport Village Historic District:

- no person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction or moving of a landmark or structure which would adversely affect the appearance and cohesiveness of the district;
- properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
- any alteration of existing properties shall be compatible with its historic character, as well as with the surrounding district; and
- new construction shall be compatible with the district in which it is located.

In applying the principle of compatibility, the following factors will be considered:

- the general design, character and appropriateness of the proposed alteration or new construction;
- the scale of proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;
- texture, materials, and color and their relation to similar features of other properties in the neighborhood;
- visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape, and the rhythm of spacing of properties on streets, including setbacks; and

-- the importance of historic, architectural or other features to the significance of the property.

Changes to interior spaces, or to architectural features that are not visible from a public street or alley, unless they are open to the public, or publicly-owned or funded, are not subject to the standards and guidelines cited above.

Two one-mile square sites shown on the New York State Historic Preservation Office Site File Map, and one, one-mile diameter site shown on the New York State Archeological Site Locations Overlay Map, are sites within or near the Village of Greenport having the potential of being archeologically significant. These figures are centered on points of high archeological sensitivity at locations of known archeological sites. Sites of archeological sensitivity may also exist outside the boundaries of these figures. Whether a proposed project is located within or outside these figures, a field reconnaissance survey, conducted under the guidelines of the New York State Education Department, will be done before an assessment of a projects potential impact on archeological resources is determined. In addition, the State Office of Parks, Recreation, and Historic Preservation will also be contacted to determine whether significant archeological resources are present at the site and what measures are necessary to preserve these resources. All practicable means shall be used to preserve significant archeological resources.

This policy 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 archeological 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 buildings, structure, site or earthwork, or component thereof of a recognized historic, cultural or archeological resource which does not involve a significant change to the resource, as defined above.

POLICY 24 THE STATE COASTAL POLICY REGARDING SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

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.

Explanation of Policy

The visual characteristics of the Village's coastal area vary widely. The blend of its rugged, bulkheaded shoreline, with pockets of natural beach and maritime vegetation, historic waterfront commercial and residential settlements, combined with varied and spectacular views of Stirling Basin, Greenport Harbor, and Shelter Island Sound make the

Village's shoreline a unique and valuable waterfront resource of high visual quality. In order for the Village to realize the full potential of its waterfront as a scenic resource, visually degrading conditions found in the three waterfront areas and in the CBD shall be removed.

Flashing, mobile, directly illuminated or reflecting cloth or flyer signs shall not be erected, affixed, or maintained in the Village, and the source of any exterior illumination shall not be visible across property lines. In addition, marquees shall not be erected over any public street or sidewalk in the Village.

Specific waterfront sites which contain deteriorated structures include the Barstow shipyard site, the Mitchell property, and the Mobil site. Generally, these sites contain abandoned or derelict structures that are in a state of disrepair.

In order to remove unsightly conditions in the Village's CBD, which include, but are not limited to, overhead electrical and telephone lines, deteriorated building facades, inadequate landscaping, etc., the Village will implement revitalization and redevelopment efforts according to the standards and guidelines of the CBD design plan mentioned in Policy 1B.

In addition, the Village's Historic District furthers the goal of improved scenic quality in the Village by serving to preserve and protect the small harbor character and architecturally rich resources of the Village.

See Policies 1A, 1B and 23.

POLICY 26 THE STATE COASTAL POLICY REGARDING THE PROTECTION OF AGRICULTURAL LANDS IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

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 NEEDS, 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 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 and Coastal Resources 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 Village of Greenport, the Department of State will comment of the 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 SEQRA 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 Village of Greenport Local Waterfront Revitalization Program.

The siting and construction of a major energy facility in the Village of Greenport is inappropriate because the Village's coastal area is not a suitable location for such a facility based on the following: The Village's entire land mass consists of only one square mile; the Village is nearly fully developed with many small scale residential, retail commercial and water-dependent uses many of which are historically significant; only a few scattered small lots represent opportunities for development; the Village owns and operates its own power facility which provides electricity to Village residents; and the Village's character and heritage is one that relies on its direct association with the sea and its commercial waterfront. The construction of a major power facility would cause irreparable damage to the Village's environment and economy.

POLICY 28 THE STATE COASTAL POLICY REGARDING ICE MANAGEMENT IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

POLICY 29 ENCOURAGE THE DEVELOPMENT OF ENERGY RESOURCES ON THE OUTER CONTINENTAL SHELF, IN LAKE ERIE AND OTHER WATER BODIES, AND ENSURE THE ENVIRONMENTAL SAFETY OF SUCH ACTIVITIES.

#### Explanation of Policy

The State recognizes the need to develop new indigenous energy sources. It also recognizes that such development may endanger the environment. Among the various energy sources being examined are those which may be found on the Outer Continental Shelf (OCS).

Matters pertaining to the OCS are the responsibility of the Department of Environmental Conservation. In 1977, the Department, in cooperation with regional and local agencies, completed a study which identified potential sites along the marine coast for on-shore OCS facilities. To



date, these sites have not been developed for this purpose. The Department, also, actively participates in the OCS planning process by reviewing and voicing the State's concerns about Federal OCS oil and gas lease sales and plans. In its review of these proposed sales and plans, the Department considers a number of factors such as the effects upon navigational safety in the established traffic lanes leading into and from New York Harbor; the impacts upon important finfish, shellfish and wildlife populations and their spawning activities, impacts upon public recreational resources and opportunities along the marine coast; the potential for hazards; impacts upon biological communities; and water quality.

#### 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, spillage, 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 Village's secondary sewage treatment facility is located on Moore's Lane within the Village, but effluent from the plant, after it is chlorinated, is discharged into Long Island Sound. The end of the pipe discharge from the treatment system is located north of the Village in the Town of Southold. This system serves all residential and commercial establishments within the Village of Greenport. Due to the lack of industry in the Village, other than commercial fish processing facilities, the majority of the sewage treated at the plant is human waste from residential and commercial uses. No commercial establishment discharges its waste into Stirling Basin or Shelter Island Sound, nor shall any such discharges be permitted in the future.

POLICY 31 STATE COASTAL AREA POLICIES AND PURPOSES 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 the 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 State coastal management policies shall be factored into the review process for coastal waters. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the Federal Clean Water Act.

Current classifications of fresh and saline waters in Greenport are given in Section II. The freshwater and saltwater "D" classification for the freshwater and tidal portions of Moore's Drain, and the freshwater "D" classification for Silver Lake are consistent with existing and proposed land and water uses. The saline waterbodies of Stirling Basin and Shelter Island Sound are classified as "SA" which permits shellfishing for market purposes and primary contact recreation. Both Stirling Basin and that portion of Shelter Island Sound within the legal jurisdiction of the Village of Greenport, also known as Greenport Harbor, have been closed to shellfishing since the early 1960's, except for a short period in the 1970's when shellfishing was allowed on an experimental basis. Sources of pollution which are believed to be major contributors to the closing of Stirling Basin and Greenport Harbor for shellfishing include but are not limited to: stormwater runoff from Village roads and developed waterfront area properties; and debris from waterfront area land uses and recreation and commercial vessels. The SA classification for Stirling Basin and Greenport Harbor is consistent with existing and proposed land and water uses.

POLICY 32 THE STATE COASTAL POLICY REGARDING THE USE OF ALTERNATIVE SANITARY WASTE SYSTEMS IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

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 non-structural methods of preventing or mitigating pollution caused by stormwater runoff. Stormwater runoff in the Village collects in street gutters and flows directly into Village wetlands and surface waterbodies.

The Village sewer system is a separate, closed system not affected by the flow of stormwater runoff. At present, the development of a municipal stormwater collection system to better control stormwater runoff and to lessen the impact on surface water quality is desired but not economically feasible.

To reduce the amount of stormwater runoff and pollutants entering coastal waters, the following non-structural and structural approaches shall be employed:

- reduced use of road salt and improved street cleaning will be encouraged;
- for all new commercial development, stormwater shall be contained on site;

- during the construction period of a site development, stormwater runoff generated by development activity will be retained on-site to reduce site erosion and excessive sediments from entering coastal waters;
- disturbed soils that are exposed during the construction period of site development shall be covered with a mulch in order to reduce the erosion potential of the exposed soil from the forces of rain and wind;
- in no case shall stormwater be diverted to another property during site preparation or after development has been completed.

POLICY 34 DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS FROM VESSELS 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 shellfish beds and other significant 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 Department of Environmental Conservation (6NYCRR, Part 657).

The dumping of oil, refuse, garbage, untreated sewage, or waste is prohibited in Village waters. To further the intent of this policy, pumpout facilities are required at new marinas or expansions of existing marinas within the coastal area of the Village. Pumpout facilities must also be installed at all marinas within three (3) years from the approval date of Greenport's Local Waterfront Revitalization Program.

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 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 the policies of this program which pertain to the protection of coastal resources.

Two locations in the Village require dredging on a periodic basis. One location is the Federal navigation channel in Stirling Basin and the other location is the commercial fishing dock at the LIRR property. Since the Federal Navigation Channel in Stirling Basin was completed in 1939, it has been dredged three times. The last time, 1976, 12,000 cubic yards were dredged to allow recreation boats and commercial fishing vessels to pass through the channel to existing marinas and commercial fishing facilities along the shore of Stirling Basin. In 1983, 41,700 cubic yards were dredged from the underwater lands in the vicinity of the commercial fishing dock in order to provide adequate water depth for commercial fishing vessels. In the past, material dredged from the waters of Greenport have consisted mainly of sand and/or gravel and have been suitable for beach nourishment. When dredging is proposed in Greenport, the following guidelines shall be used in determining dredge spoil deposition.

- Village beach areas suitable for beach nourishment will be given priority consideration over other potential beach areas outside of the Village which are suitable for beach nourishment.
- Dredge spoil for beach nourishment shall be of suitable quality.
- Dredge spoil shall be deposited in such a manner which does not result in the introduction or reintroduction of dredge material into Stirling Basin or the underwater lands near the commercial fishing dock. When dredging is conducted near the Village's shoreline or within Village waters the standards as listed in Policy 15 shall be met.

POLICY 36    ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS 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

See Policy 39 for definition of hazardous wastes.

This policy shall apply not only to commercial storage and distribution facilities but also to residential and other users of petroleum products, radio-active and other toxic or hazardous wastes. Spills, seepage or other accidents which occur on or adjacent to coastal waters or which, by virtue of natural or man-made drainage facilities, eventually reach coastal waters, are included under this policy.

All government agencies shall act vigorously under the applicable laws and regulations (including the New York State Petroleum Bulk Storage Act of 1983 and regulations issued thereunder) to prevent or control such discharges, to minimize drainage from them, and to obtain full and prompt compensation for the damage and cost caused by them. To this end the Village will seek the cooperation of neighboring municipalities and of the State and County authorities concerned.

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

Best management practices used to reduce these sources of pollution could include, but are not limited to, encouraging organic gardening and best management principles, soil erosion control practices, and surface drainage control techniques.

In the residential areas of the Village, primary sources of pollution which contribute to the non-point discharge of excess nutrients and organics into coastal waters are usually connected with products used to maintain lawns and gardens. The use of pesticides, herbicides and organic compounds which can degrade surface and groundwater quality will be discouraged through public education programs and by encouraging the use of landscape materials native to Long Island.

Standards used to reduce or eliminate eroded soils into coastal waters are listed in Policy 33.

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

Explanation of Policy

Surface and groundwater are the principle sources of drinking water in the State, and therefore must be protected. Since Long Island's groundwater supply has been designated a "sole source aquifer", all actions must be reviewed relative to their impacts on Long Island's groundwater resources.

The Village has encountered problems with contamination of its water supply from agricultural chemicals, primarily nitrates and pesticides, and from saltwater intrusion. Contamination of its water supply is due in large part to the practice of agriculture, the largest land use in the surrounding Town of Southold. With continued assistance from the County, State, and Federal agencies, every effort will be made to provide potable water from the Village's municipal water supply system to Village residents, and if the current practice continues, to others in the outlying area of the Town of Southold who rely on the Village's water system for water needs.

The Village and the Town of Southold will maintain ongoing communication about their groundwater problems and needs and will coordinate their actions so groundwater resources are managed most effectively. (The Village and the Town are conducting comprehensive water quality and quantity studies in order to evaluate options with regard to meeting future water supply needs.)

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

The definitions of terms "solid wastes" and "solid wastes management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludges from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901.3) as "a 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." A list of hazardous wastes has been adopted by DEC (6NYCRR, Part 371).

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 wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

POLICY 40 THE STATE COASTAL POLICY REGARDING EFFLUENT DISCHARGED FROM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES IS NOT APPLICABLE TO THE VILLAGE OF GREENPORT.

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 Village's 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.

Program decisions 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 this program concerning proposed land and water uses and the protection and preservation of coastal resources will be taken into account prior to any action to change prevention of significant deterioration land classifications in the coastal region 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.

Explanation of Policy

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

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

Explanation of Policy

Tidal wetlands include the following ecological zones: coastal fresh marsh; intertidal marsh; coastal shoals, bars and flats; littoral zone; high marsh or salt meadow; and formerly connected tidal wetlands. These tidal wetland areas are officially delineated on the Department of Environmental Conservation's Tidal Wetlands Inventory Map.

Freshwater wetlands include marshes, swamps, bogs and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the New York State Freshwater Wetlands Act and the New York State Protection of Waters Act. Village freshwater wetlands are located within Moore's Woods and include: Silver Lake and the freshwater wetlands immediately adjacent and contiguous to the Lake, and the non-tidal portion of Moore's Drain. Tidal wetlands within the Village include the tidal portion of Moore's Drain and the wetlands found in isolated locations along the shoreline of Stirling Basin and Greenport Harbor. See Map 3, Natural Characteristics, for the approximate location of these wetland areas.

The following actions are prohibited unless a written permit is issued by the Village.

- To place or deposit debris, fill or materials, including structures, into, within, or upon any freshwater or tidal wetland.
- To dig, dredge, or in any other way alter, or remove any material from any submerged land, or freshwater or tidal wetland.

All uses and operations approved by the Village shall be conducted in a manner that will cause the least possible damage to, encroachment on, or interference with any tidal and freshwater wetland.

The Department of Environmental Conservation shall be notified of proposed actions within 100 feet of any freshwater wetland and within 300 feet of any tidal wetland in order to assess the impact of the proposed action on the freshwater or tidal wetland.



SECTION IV

PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

## SECTION IV. PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

### A. PROPOSED LAND AND WATER USES

Greenport's existing land use pattern has been well established for some time. The five general land use categories that characterize the Village include: marine commercial, retail commercial, general commercial, open space, and residential (See Map 9, General Land and Water Uses). The land use plan that follows is consistent with the Village's existing land use pattern. The purpose of this plan is to ensure that future development trends will be compatible with the existing land use pattern. Thus, this existing pattern and the character of the Village will be preserved and maintained.

Specific zoning legislation necessary to implement the land use plan is discussed in Section V.

The land use plan presented herein contains the five general land use categories with marine commercial discussed according to its application in Waterfront Areas 1, 2, and 3.

#### MARINE COMMERCIAL

##### Waterfront Area 1

Most of the waterfront in Waterfront Area 1, which includes the waterfront from Young's Point along Stirling Basin to and inclusive of S.T. Preston and Son, Inc., is in water-dependent uses. Eleven major water-dependent firms exist here and provide a range of water-dependent commercial and recreational uses which include: shellfish and finfish processing; retail and wholesale of seafood products; facilities for off-loading of fish from commercial fishing vessels; engine and hull repairs; ship/boat building; wet and dry boat storage; boat sales; dockage for transient vessels; marinas for recreational boats; marine contracting; and sale of marine supplies.

One site, the former Sweet Shipyard, is in high-density residential use. The marine commercial land use category will be maintained for this site.

To broaden the land area of sites acceptable for water-dependent uses, the Townsend Manor Inn and the vacant 1.0 acre parcel that is owned by Winter Harbor Fisheries are included in the Marine Commercial land use category, as discussed below. Also discussed below is the preferred reuse of the former Barstow shipyard site. The Winter Harbor Fisheries and Barstow sites have been identified in this program as underutilized/deteriorated sites.

##### Townsend Manor Inn

This site is located on the west shoreline of Stirling Basin and abuts the northern reaches of the existing waterfront commercial area, where an existing boat yard is located to the south of this site. A one- and two-family residential area exists to the northwest, west and southwest of

this property. Existing uses on this site include dockage for transient vessels, a hotel and bar/restaurant.

#### Winter Harbor Fisheries Property

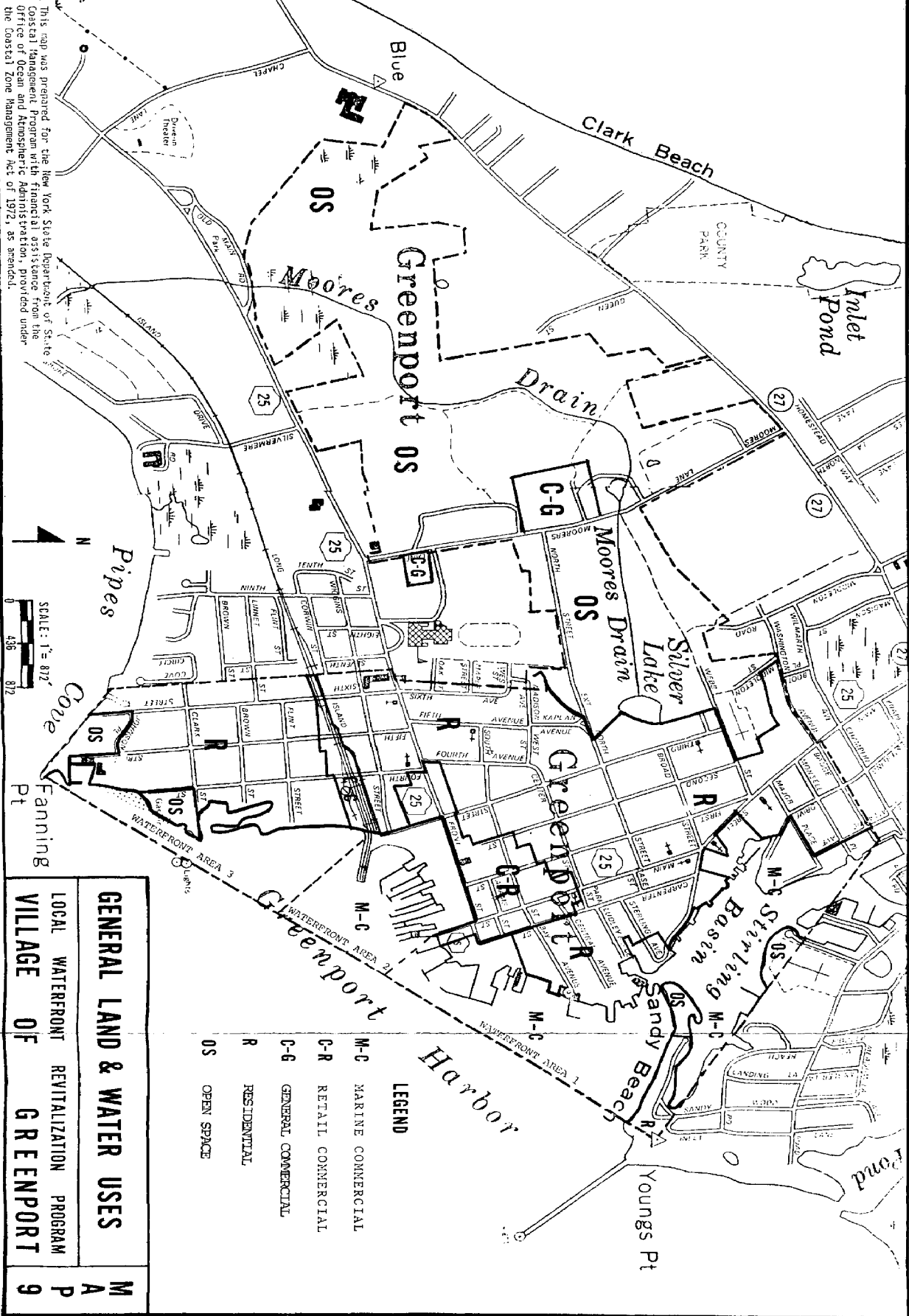
This vacant 1.0 acre parcel is located on the west shoreline of Stirling Basin, adjacent to the Village's existing waterfront commercial area. Immediately south of this property lies an existing Winter Harbor Fisheries shellfish processing facility. Private docks and a marine contracting firm are located to the north of this property. To the west is a one-and two- family residential area. The shoreline section of this property is characterized by a 130 foot section of maintained bulkhead and a series of tie-up pilings placed off-shore along its length, making it a desirable site for boating activity or some other water-dependent activity. Since this vacant site is situated near existing waterfront commercial uses and is developed with bulkheading and pilings, it is included in the new waterfront commercial land use category.

Although a range of waterfront commercial uses are permitted for properties in the new waterfront commercial area, preferred uses for this site include, but are not limited to: storage of water-dependent equipment; or facilities for non-intensive boating activity to take advantage of the existing off-shore pilings. A practical option for the use of this site is the development of cold storage facilities to accommodate the sea-food products from the adjacent Winter Harbor Fisheries shellfish processing plant. These suggested non-intensive waterfront commercial uses are compatible with the existing residential use to the west of this site. Mitigation measures such as adequate buffering, however, must be considered if this site is developed for cold storage or other ware-dependent uses.

#### Barstow Shipyard Site

This site, like the Winter Harbor Fisheries property, is in the waterfront commercial land use category. This site is bounded by two active water-dependent commercial uses: Cooper's Fish Processing Company and the Greenport Yacht and Shipbuilding Company, located to the northeast and south, respectively. Residential land use borders this site to the north, and to the west is Main Street. This site is blighted by 100 feet of severely deteriorated bulkhead, and the existence of several half-sunken vessels and abandoned boats on the waterfront and upland. The site is not used in a productive manner and is considered to be unsightly and a safety hazard. The existing warehouse structures that were formerly used for shipbuilding activities are in relatively good shape and contain 38,000 square feet of floor area.

Ownership of this site is uncertain; title to the property is claimed by several parties, including Suffolk County. If Suffolk County does gain ownership, the Village may form a joint partnership with the commercial fishing industry to purchase or lease this site from the County and develop it for commercial fishing support facilities. The facilities could provide for docking, unloading, fuel, minor repairs of vessels, ice, and refrigeration.



This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

SCALE: 1" = 872'  
 0 436 872

**GENERAL LAND & WATER USES**  
 LOCAL WATERFRONT REVITALIZATION PROGRAM  
**VILLAGE OF GREENPORT**  
**M A P 9**

- LEGEND**
- M-C MARINE COMMERCIAL
  - C-R RETAIL COMMERCIAL
  - C-6 GENERAL COMMERCIAL
  - R RESIDENTIAL
  - OS OPEN SPACE

Also desired on a portion of this site, in conjunction with the commercial fishing support facilities, is a marine museum. If this does not occur, the preferred uses for this site include: boat storage, boat repair, boat building and dockage for small commercial fishing vessels, or small recreational boats. The existing warehouse structure is suitable for reuse of this nature, and such reuse would be compatible with the adjacent waterfront commercial uses to the northeast and south. Another possible alternative for the reuse of this site is the expansion of either the adjacent shipbuilding company located to the south or the fish processing company located to the north.

## Waterfront Area 2

Waterfront commercial activity is permitted in this entire waterfront area. Four major water-dependent firms exist in this area and provide the following uses: dock space and support facilities for recreational vessels; marine supply sales; and ferry transportation service. The Village commercial fishing dock is also located here, providing dock space for large transient commercial fishing vessels.

Unlike the waterfront commercial area in Waterfront Area 1, where there are very few water-enhanced uses among the many water-dependent commercial and recreational uses, there are many water-enhanced uses located in Waterfront Area 2. These consist mostly of retail shops and restaurants. For the most part, these uses are concentrated along the east side of Third Street, the south side of Front Street, and the west side of Main Street.

Discussed below are the preferred reuse possibilities for the Mitchell property, the vacant portion of the Bohack site, and the LIRR property. All three of these sites have been identified as underutilized/deteriorated sites and are located in the Waterfront Commercial Area 2.

### Mitchell Property

This site (3.5 acres) is located between Main and Third Streets and is bordered by Front Street and Greenport Harbor to the north and south, respectively. This site is located in the heart of the Village's Central Business District. Existing development on this site consists of a relatively small bar/restaurant. Most of the inland portion of this site is undeveloped and covered with pavement. The waterfront portion of this parcel contains 500 feet of shoreline, with 1,200 feet of deteriorating bulkhead, and six long wooden docks that are in poor condition. Adjacent land uses include the Greenport Post Office to the west, and several small commercial businesses to the east.

Due to the large size of this parcel, its potential to accommodate a large commercial development, and its key location in the heart of the Village's CBD, the successful redevelopment of this parcel may be a catalyst to Greenport's revitalization. The preferred reuse of this site is the development of a small-scale hotel/convention center complex for transient use on the land area adjacent to Front Street, and the development of a recreational boating marina on the harborside. The development of a quality hotel/convention center complex would draw people

to the Village throughout the year, have a positive impact on the economy by extending the Village's retail/commercial season, would generate spin-off benefits to local merchants, and relieve seasonal unemployment. The waterfront and docking facilities should be redesigned to increase the recreational docking capacity along the shoreline. Any redevelopment of this property should include the harborwalk, which will be developed along this entire waterfront area. Pedestrian corridors connecting the sidewalk on Front Street to the harborwalk should also be provided, and is critical to the success of the circumferential walkway system planned for the Village.

#### Bohack Property

The .3 acre vacant portion of this site is located between Third Street and Greenport Harbor. This site has approximately 200 feet of sandy shoreline located between the Mitchell property and the Shelter Island Ferry Terminal. A variety of commercial and marine commercial uses border this site. The preferred use for the shoreline of this site is for recreational vessels and for a segment of the harborwalk. A pedestrian corridor should also be established from the harborwalk through the developed portion of this site, which contains the existing retail mini-mall extending to the sidewalk of Front Street. The harborwalk on this parcel could provide pedestrians coming off the North Ferry with an alternate, visually appealing access route along the waterfront to the Village's Central Business District.

Secondary considerations for this site include passenger support such as a snack bar or delicatessen for those using the Shelter Island-Greenport Ferry. These uses could be located inland to the west of the dockage area near the ferry office and waiting area on Third Street. Consideration should also be given to utilizing the northern edge of the panhandle portion of the property fronting on Third Street as a street connector to the Mitchell property. The final design plan for the Mitchell property will determine whether this is an appropriate consideration or not.

#### LIRR Property

The Long Island Railroad (LIRR) property and dock (7 acres) is located at the southerly terminus of Third Street and the main line terminus of the railroad in Greenport. The inland portion of this site is developed with the following: two buildings, the former ticket office -- currently vacant -- which will soon be converted to a police station, and the former freight depot that is used for furniture storage; a new parking field; and an old locomotive turntable that is in disrepair. The waterfront portion of this parcel is developed with approximately 320' of bulkhead and a large dock constructed for use by large, transient, commercial fishing vessels. Residential areas border the southern and northwestern portions of this site. The dock abuts the North Ferry Company and parking facility to the north.

The commercial fishing pier should be kept available for continued use for commercial fishing vessels, unless there are extenuating circumstances which require the use of the dock by other fishing interests for a temporary or very limited period of time. Preferred, additional possibilities for the use of this site include an accessory dock constructed near the existing commercial fishing dock for use by one or more of the following groups: locally operated commercial fishing vessels; charter or party fishing boats; and pleasure craft or large transient tour boats whose base is outside of Greenport. Other possibilities for the use of this site include converting the freight depot to a regional transportation museum and the renovation of the locomotive turntable so it can be used in conjunction with Project 39. Project 39 entails the renovation of a steam engine locomotive that will provide rail service from Greenport to Southold.

### Waterfront Area 3

Residential land use dominates this shoreline area. The only remaining sign of waterfront commercial activity is the abandoned Mobil petroleum storage facility, located in the southern half of this waterfront area. This site is discussed in the open space portion of this section.

The marine commercial land use category will be maintained for the properties at Fanning Point that have been redeveloped with residential condominiums: the former oyster shucking factory on the west side of Fifth Street Park and the former Old Oyster Factory Restaurant on the east side of Fifth Street Park.

### RETAIL AND GENERAL COMMERCIAL AREAS

The retail commercial area allows for a mixture of retail stores, restaurants, hotels, personal service shops, business, professional and government offices. The general boundary of this area is Carpenter Street to the east, Front Street to the south, Center Street to the north and Fourth Street to the west. This area, combined with the retail and waterfront commercial activity in adjacent Waterfront Area 2 to the south, constitutes the Village's CBD. This area will be maintained in its current use.

General commercial use, which includes retail, wholesale, non-personal service establishments, motor vehicle-related facilities, and light manufacturing, is confined to the inland portions of the LIRR property and on relatively small strips of land west of the LIRR site on Moore's Lane. These sites will be maintained in general commercial use.

### OPEN SPACE AREAS

Village-owned inland properties used for park or open space use include: Third Street Park, Curt Breeze Memorial Field (Polo Grounds), Reeve Memorial Park, Adams Street Park, and the vast woodlands and wetlands of Moore's Woods. Village-owned waterfront properties used for park or open space include: Fifth Street Park, Sandy Beach, the boat ramp on the

east side of Stirling Basin, and small areas of waterfront land at the end of Village streets. These sites shall be preserve for open space and recreation.

The abandoned, privately-owned Mobil site is designated for open space use. This site is located northeast of Fanning Point and is bordered by Clark Street, Fourth Street, and Greenport Harbor to the north, west, south, and east, respectively. There is 600 feet of bulkhead fronting on Greenport Harbor at this site. Residential areas surround this site to the northwest and west. Commercial reuse of this site, next to these residential areas, would be incompatible. Commercial reuse of this site would also be in direct contrast to the Village's land use objectives, as expressed in its recent decisions concerning development at Fanning Point. These recent decisions have demonstrated the Village's commitment to redevelop this section of land to a limited mix of residential and recreational land use. While redevelopment of the Mobil site for two-family residential use is permitted under zoning, its use as a waterfront park for waterfront recreation would be of greater benefit to the community. Should the Village not be able to obtain this property for park purposes and it is developed for another use, public access to the waterfront of this parcel should, as law permits, be secured. Before any development occurs, however, the site must be checked for the existence of contaminants.

## B. PROPOSED PROJECTS

The physical projects proposed as part of this Program are described below and shown on Map 10, Waterfront Area Projects. The projects have been limited to those most appropriate to the objectives of the Program. It will be necessary for the Village to conduct feasibility and/or engineering design studies for some of these projects in order to establish a data base from which better, more informed decisions can be made. In many instances federal and State funding resources will be required, and in some cases, projects will be developed in stages over many years.

### 1. Harborwalk

A harborwalk will be constructed along the water's edge to form a contiguous waterside walkway along the entire waterfront in Waterfront Area 2 (from and inclusive of S.T. Preston and Son, Inc. to and inclusive of the LIRR site). To compliment the harborwalk, and to provide visually appealing pedestrian and visual access from Front Street to the water's edge, pedestrian corridors will be developed to link the Front Street sidewalk to the harborwalk. Such a walkway will greatly enhance the aesthetic appeal of the CBD and will enrich the tourist experience. It will be necessary to prepare a detailed design guide for this action.

### 2. Baymen's Dock

A docking facility for locally operated commercial fishing vessels on the east side of Stirling Basin at the Village/Town boat ramp needs to be constructed. This project calls for a fixed pier with a series of floating docks attached to it. Boats would be secured to the floating sections,



with the fixed dock used to gain adequate water depth without the need to dredge or bulkhead the shore. This facility should have the capacity to accommodate up to 12 moderately-sized commercial fishing vessels. By building this facility the Village hopes to maintain and possibly increase the number of fisherman using Greenport as their home port.

### 3. Accessory Dock Project

An accessory dock needs to be constructed for charter or party fishing boats and tour boats. Potential locations for this dock are next to the existing commercial fishing dock at the LIRR property or at the Barstow site.

### 4. Commercial Fishing Vessel Support Facilities Project

This project entails the development of the Barstow shipyard for commercial fishing vessel support facilities to provide for docking, unloading, refueling and minor repairs of vessels, ice and refrigeration. Development of these facilities on this parcel would serve to complement the Village's commercial fishing dock used by large transient commercial fishing vessels, and the Baymen's Dock used by locally operated vessels. Thus, the Village would be able to ensure that adequate support services are available to serve the needs of commercial fishing vessels in Greenport Harbor. A feasibility study of industry needs should be conducted before any action is taken on this project.

This project also entails the development of a portion of this site for a marine museum in conjunction with the commercial fishing facilities. The museum will contain exhibits and displays which depict the history of the commercial fishing and shipbuilding industries in the Village of Greenport.

### 5. Parking Field Development and Expansion

Municipal parking fields will be developed in the vicinity of Adams and South Street, located north of Front Street, and at the LIRR property. The development of parking facilities in these areas will provide much needed parking for tourists, shoppers and visitors in the CBD.

### 6. Hotel/Conference Center

A small scale, quality hotel/conference center on the inland portion of the Mitchell property, next to Front Street, and a major recreational marina on the harbor side portion of this property is proposed. This project relies heavily on the private sector. The successful redevelopment of this severely underutilized site may serve as the catalyst for the Village's revitalization. This project will adhere to the standards and recommendations of the Central Business District Design Plan.

### 7. Waterfront Mini-Parks Project

This project calls for the development, at the following locations, of six (6) small waterfront mini-parks to be used for passive recreational pursuits:

#### Waterfront Area 1

1. at the east end of Bay Avenue
2. the narrow section of land between Stirling Street and Stirling Basin (privately-owned)
3. at the end of Stirling Place at the head of Stirling Basin

#### Waterfront Area 2

4. at the east end of Wiggins Street (privately-owned)
5. on the LIRR site south of the existing commercial fishing dock

#### Waterfront Area 3

6. at the south end of Fifth Street and the area immediately to the east at Fanning Point

These areas are located at the end of Village roads or are privately-owned and located between Village roads and the waterfront. Each site is of very limited size and not suitable for residential or commercial development. Modest improvements to these areas would include landscaping with indigenous plant species, the development of refined pedestrian walkways or accessways leading to the shoreline, the provision of plaques containing historical notes, benches, viewing platforms and picnic facilities. Such improvements will increase passive recreational use of and access to the waterfront.

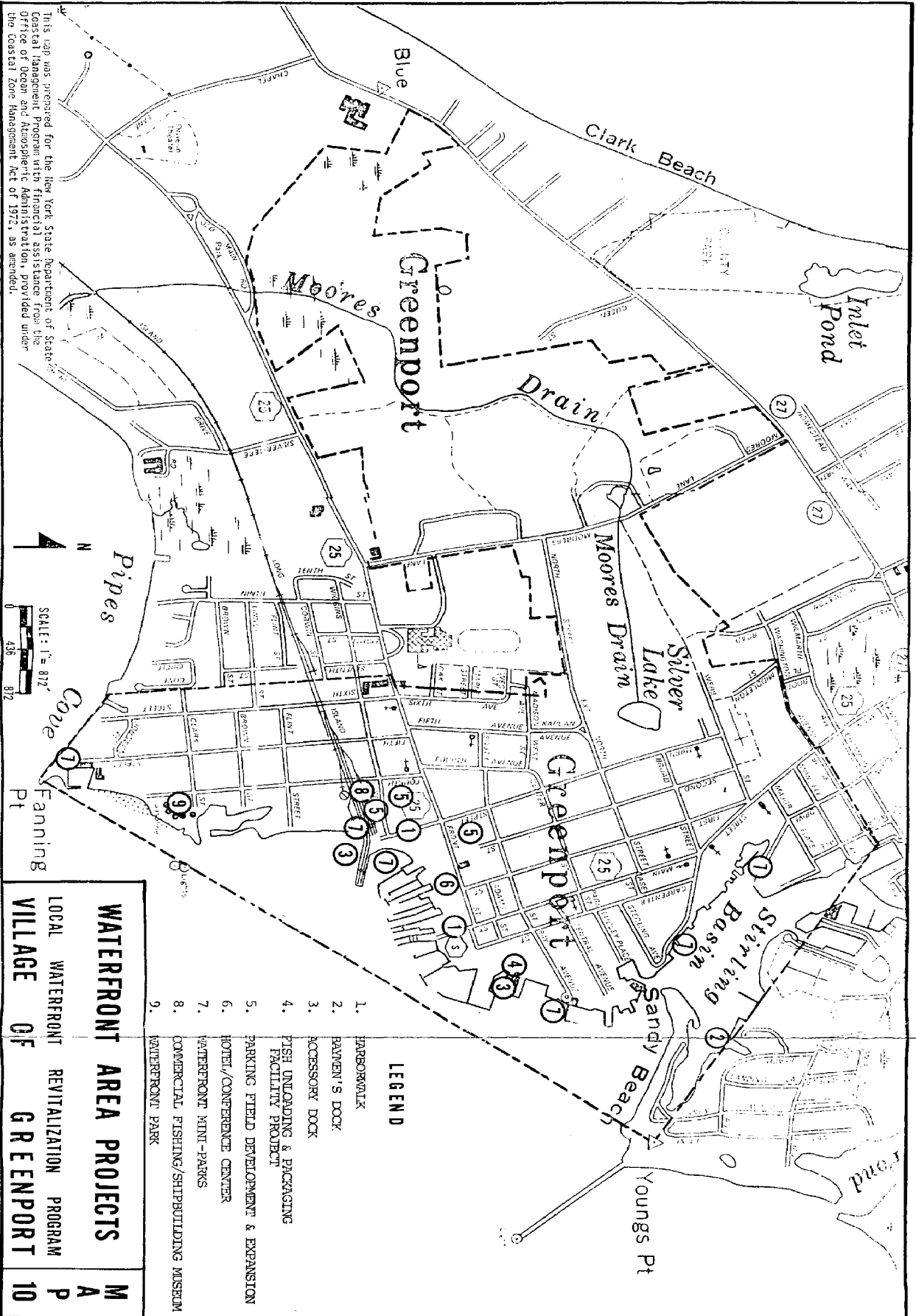
#### 8. Transportation Museum Project

The former freight depot building at the LIRR site, currently used for furniture storage, will be redeveloped for use as a Village museum. The museum would be linked to the harborwalk and could serve as a welcoming and information center. This facility could also serve as the starting point for walking tours of Greenport's historic properties, and waterfront sites.

#### 9. Waterfront Park/Nature Center

The development of the abandoned Mobil site for a municipal waterfront park will require acquisition and possible removal of existing structures. Preliminary plans for reuse of this site include the development of a portion of this site for relatively passive recreational facilities, such as: boat launching; on-shore fishing; waterfowl and other wildlife viewing; and for viewing scenic Shelter Island Sound and commercial and recreational vessels entering and exiting Greenport Harbor.

Conversion of this site to a water-oriented municipal recreational facility would significantly enhance the Village's waterfront resources and increase opportunities for the public to gain access to the waterfront. The potential reuse of some of the existing structures for park support facilities should be explored if this site is acquired. Another potential reuse of this property would be a water-related science, research and education center.



10. Central Business District Design Plan

An overall Design Plan for the Village's Central Business District will include specific designs for streetscape and building improvements, and appropriate design vocabulary to guide rehabilitation activities throughout the business district. This plan will serve as a guide to remove unsightly conditions in the Village's CBD and will serve as a unifying mechanism for infill and redevelopment projects in the CBD.

11. Comprehensive Traffic and Parking Study

A comprehensive traffic and parking study for the Village, with technical input from Suffolk County and the New York State Department of Transportation, will be conducted. Such a study will focus on the issues and concerns identified in Section II. This study should be conducted in conjunction with the Central Business District Design Plan.

12. Lady Stirling Shipbuilding Project

This project entails the construction of a wooden sailing vessel - to be built and berthed in Greenport - typical of those found sailing the waters of Long Island during the nineteenth and early twentieth centuries. Traditional methods will be used in the construction of the vessel to teach the skills of the shipwright and the history of wooden shipbuilding.

Upon completion, the Lady Stirling will be used in the surrounding waters, bays, and estuaries as a living and working classroom for students and community groups to teach maritime history, marine ecology, and the geology of Long Island. In addition, the Lady Stirling will be used for the promotion of Suffolk County and its sailing and marine heritage, and to provide day and weekend trips for student groups and the public at large.

13. Central Business District Comfort Stations

This project entails the development of public restroom facilities in the CBD near the waterfront. Currently there are no such facilities for tourists or visitors to use.

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

## SECTION V. TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

This section outlines and describes the measures used by the Village of Greenport to implement its Local Waterfront Revitalization Program set forth in the preceding sections. This section is organized into the following general parts:

- A - Existing Local Laws and Regulations
- B - Local Laws and Regulations Adopted to Implement the LWRP
- C - Implementation of LWRP Policies
- D - Management Structure
- E - Compliance Procedures
- F - Financial Resources

Part A describes existing local laws and regulations previously enacted by the Village which regulate land use and development activities in the waterfront area. Part B describes local laws and regulations recently adopted to implement the land use and development activities proposed in the LWRP. Parts C, D, E, and F describe specific LWRP implementation techniques and measures.

### A. EXISTING LOCAL LAWS AND REGULATIONS

#### 1. Zoning Law (Chapter 85)

The Zoning Law, Chapter 85 of the Village Code, was adopted in 1971 in "the interest of the protection and promotion of the public health, safety and welfare." The Village's Zoning Law, as amended, provides for the regulation of land use through thirteen specific articles. Key articles include the following: Article II creates five zoning districts, see Map 11 Zoning Map, including Waterfront Commercial, General Commercial, Retail Commercial, One- and Two-Family Residential, and One-Family Residential Districts; Articles IV and V establish district bulk, parking, and supplemental regulations; and Articles VII, IX, and X establish the powers, duties, and procedures of the Building Inspector, Board of Appeals, and Planning Board.

The Zoning Law constitutes the Village's foremost means of implementing and enforcing the Local Waterfront Revitalization Program. Existing development controls, administrative procedures, and enforcement authority established in this law have been generally adequate to direct land use patterns and development activities in the Village.

#### 2. Flood Damage Prevention Law (Village Code, Chapter 40)

This local law was adopted in 1983 and incorporates the Flood Insurance Rate Maps and regulations promulgated by the Federal Emergency Management Agency. The purpose of this law is to prevent flood damage and to minimize public and private losses due to flood conditions in specific flood prone areas. In particular, these regulations provide for the administration of building permits by the Building Inspector for the development in all special flood hazard areas, establish general and specific construction standards for such development, and

include provisions for hearing and deciding upon appeals and variance requests.

3. Coastal and Freshwater Wetlands, Floodplain and Drainage Law (Village Code Chapter 82)

Adopted in 1976, this law was enacted to provide for the protection, preservation, maintenance and use of Village water-courses, coastal wetlands, tidal marshes, floodplain lands, freshwater wetlands, watersheds, water recharge areas and natural drainage systems.

4. Flood Hazard Construction Standards (Village Code, Chapter 39)

This law, adopted in 1973, was drafted to assure the Federal Emergency Management Agency that the Village would begin to collect data within the community for the development and implementation of flood plain area management measures. Provisions of this law also include review of building permit and subdivision applications by the Building Inspector to determine if a proposed action is consistent with the need to minimize flood damage.

5. Recreation Areas and Beaches (Village Code, Chapter 64)

This law was adopted by Greenport in 1976 "for the preservation and maintenance of suitable recreation facilities for its citizens and their guests, so as to ensure the peaceful, orderly and most beneficial use of any and all recreational facilities" within the Village of Greenport. Provisions of this law include regulations on littering, parking, liability for injuries and stolen property, and the selling and distribution of goods.

6. Boats (Village Code, Chapter 20)

This local law, establishing boating regulations, was adopted in 1962. It provides rules and regulations applicable to all waters within the Village of Greenport and to all waters bounding the Village for a distance of one-thousand-five hundred (1,500) feet from the shore, provided they are not within or bounding Town of Southold waters for a distance of one-thousand-five (1,500) feet from shore.

Provisions of this law include regulation of discharges from boats.

7. Clamming (Village Code, Chapter 29)

Adopted in 1971, this chapter was established to "conserve the quantity and quality of clams located in the waters within the Incorporated Village of Greenport and to ensure the equitable distribution of the same among the citizens of the Village of Greenport and Southold Town."

Provisions of this law include regulations on the quantity of clams permitted, hours allowed, residence requirements, application and duration of permit. Although clamming was discontinued in the early 1970's, these regulations would be enforced if clamming were reinstated.

B. LOCAL LAWS AND REGULATIONS ADOPTED TO IMPLEMENT THE LWRP

1. Zoning Law Amendments (Chapter 85, Articles II and III)

- a. The existing Waterfront Commercial District was amended to eliminate residential condominiums as an allowable use, to increase the number of permitted water-dependent uses from 12 to 14, to establish water-enhanced uses as conditional uses to ensure that water-dependent uses will not be displaced by water-enhanced uses, and, through a bonus building coverage provision, encourage the construction of a public waterfront walkway by developers.

The W-C district boundary includes all properties in Waterfront Areas 1, 2, and 3 currently zoned Waterfront Commercial. The Townsend Manor Inn and the vacant parcel of land owned by Winter Harbor Fisheries were rezoned to Waterfront Commercial.

- b. A new Park District classification has been established, which includes all Village-owned lands used for park, open space and utilities. These lands were zoned for residential or commercial use.

2. Zoning Law Amendments (Chapter 85, Article X)

Site development plan regulations were amended to include the following items as site development plan elements to be submitted with development plans:

- the demonstration of containment and recharge of stormwater runoff on development sites during and after construction;
  - the identification of historic resources on or adjacent to the subject site;
  - the demonstration of public and/or visual access to the shoreline in instances where a developer of a waterfront parcel has offered, and the Planning Board has accepted, such access; and
  - the location of pumpout facilities at new marinas and/or marinas to be expanded.
3. An Historic Preservation Local Law has been established, which will serve to preserve and protect the historic resources of the Village.
4. A LWRP Consistency Law has been established to provide a framework for agencies of the Village to consider the policies and purposes of the LWRP when reviewing agency actions in the Village, and to assure that such actions are consistent with the LWRP policies and purposes.

C. IMPLEMENTATION OF LWRP POLICIES

POLICIES 1, 1A, 1B, 2, 2A



1. EXISTING LEGISLATION THAT IMPLEMENTS THESE POLICIES

- a. Section 85-10 (Waterfront Commercial District) of Chapter 85 of the Village's Zoning Law permits commercial uses which are appropriate for specific waterfront locations and for underutilized/deteriorated sites that are located along the Waterfront Areas 1 and 2.
- b. Section 85-32 (approval of site development plans) of Chapter 85 of the Village's Zoning Law includes standards and guidelines that all commercial development must adhere to.
- c. The Village's Historic Preservation Local Law which will ensure the harmonious, orderly, and effecient growth and development of the Village, consistent with its historic integrity.

2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THESE POLICIES

- Harborwalk Project
- Central Business District Design Plan
- Municipal Parking Field Development and Expansion Project
- Traffic and Parking Study Project
- Hotel/Conference Center Project
- Waterfront Mini-park Project
- Transportation Museum Project
- Accessory Dock Project
- Fish Unloading and Packaging Facility Project

POLICY 3

Not applicable.

POLICY 4

1. LEGISLATION THAT IMPLEMENTS THESE POLICIES

See the part 1 discussion in this section for Policies 1, 1A, etc.

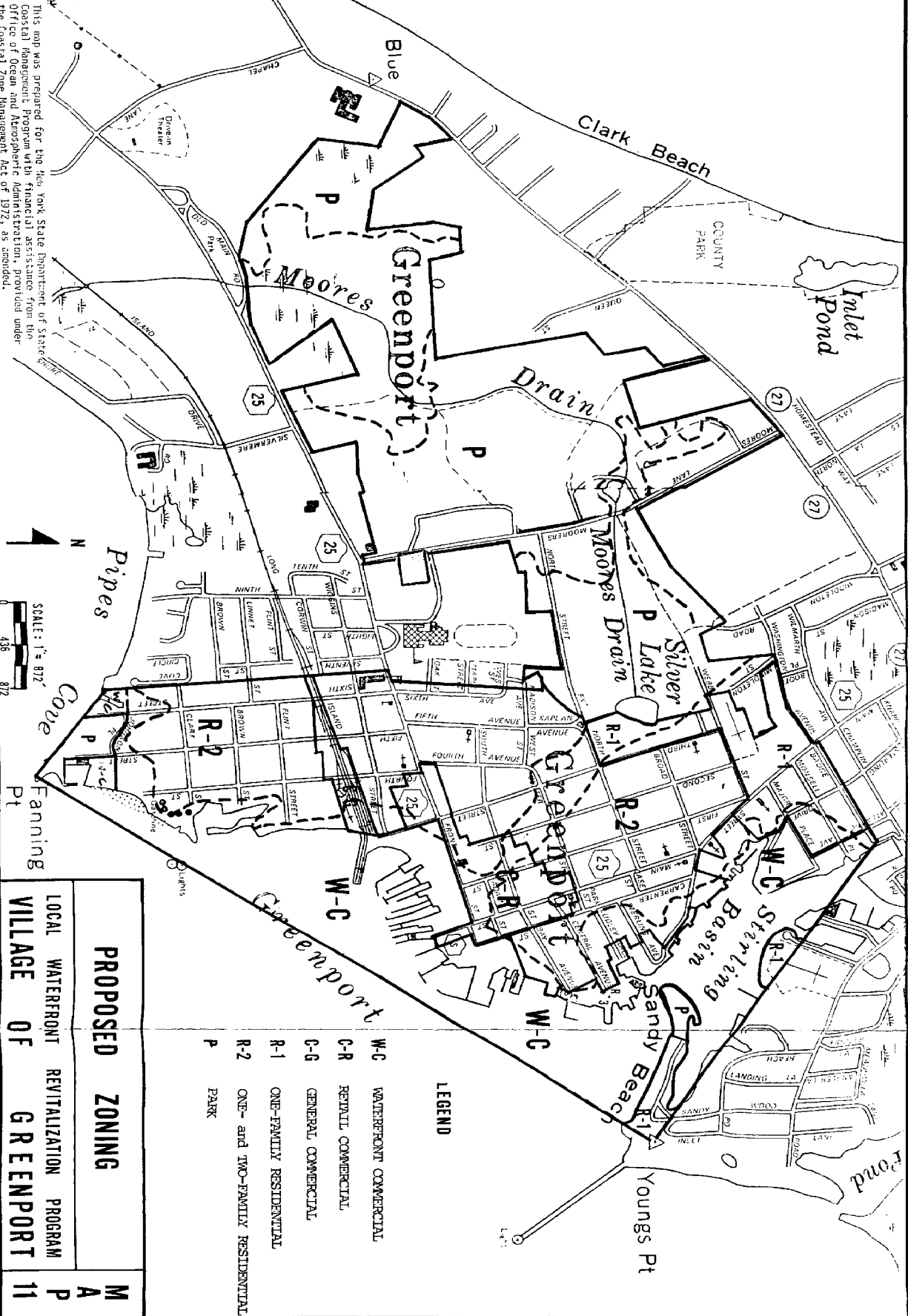
2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THIS POLICY

- Accessory Fishing Dock Project
- Fish Unloading and Packaging Facility Project
- Accessory Dock Project
- The Village Board has adopted an Official Policy Statement with regard to the continued use of the Greenport Commercial Fishing Dock for commercial fishing vessels.

POLICY 5, 5A

1. LEGISLATION THAT IMPLEMENTS THESE POLICIES

Chapters 69 (Sewer Use) and 81 (Water Supply) of the Village Municipal Code are adequate to implement both of these policies.



This map was prepared for the New York State Department of State Coastal Management Program with financial assistance from the Office of Ocean and Atmospheric Administration, provided under the Coastal Zone Management Act of 1972, as amended.

SCALE: 1" = 872'  
438 872

PROPOSED ZONING		
LOCAL WATERFRONT REVITALIZATION PROGRAM		M A P
VILLAGE OF GREENPORT		11

- LEGEND**
- W-C WATERFRONT COMMERCIAL
  - C-R RETAIL COMMERCIAL
  - C-6 GENERAL COMMERCIAL
  - R-1 ONE-FAMILY RESIDENTIAL
  - R-2 ONE- and TWO-FAMILY RESIDENTIAL
  - P PARK

POLICY 7

Not applicable.

POLICY 8

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapters 20 (Boats), 64 (Recreation Areas and Beaches), 82 (Wetlands, Floodplains, Drainage) of the Village Municipal Code, as well as the applicable laws of the State are adequate to implement this policy.

POLICY 9

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

a. Chapter 29 (Clamming) regulates clamming activity in the Village. Although clamming was discontinued in the early 1970's, these regulations would be enforced if clamming were reinstated.

b. See the part 1 discussions in this section for Policies 1, 1A, etc.

2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THIS POLICY

- Harborwalk
- Accessory Dock Project
- Waterfront Mini-park Projects
- Waterfront Park Project

POLICY 10, 10A

1. LEGISLATION THAT IMPLEMENTS THESE POLICIES

See the part 1 discussions in this section for Policies 1, 1A, etc...and Policy 4.

2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THESE POLICIES

- Fish Unloading and Packaging Facility Project
- Accessory Dock Project
- Commercial Fishing Museum Project

POLICY 11

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 40 (Flood Damage Prevention Law) of the Village Municipal Code is adequate to implement this policy.

POLICY 12

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 40 (Flood Damage Prevention Law) and Chapter 82 (Wetlands, Floodplains and Drainage) of the Village's Municipal Code, as well as the New York State Department of Environmental Conservation tidal wetland regulations are adequate to implement this policy.

POLICY 13A

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 82 (Wetlands, Floodplains, Drainage) provides for the protection, preservation, maintenance and use of Village water-courses and is adequate to implement this policy.

POLICY 14

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 40 (Flood Damage Prevention Law) and Chapter 82 (Wetlands, Floodplains and Drainage) of the Village Municipal Code, as well as the New York State Department of Environmental Conservation tidal wetland regulations are adequate to implement this policy.

POLICY 15

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 82 (Wetlands, Floodplains and Drainage) of the Village Municipal Code and existing State regulations are adequate to implement this policy. The New York State Department of Environmental Conservation regulates dredging activities in shoreline and wetland areas. These regulations are comprehensive in nature and address actions according to their potential to interfere with the natural coastal processes, as well as their potential for increasing soil erosion and sedimentation.

POLICY 16

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 40 (Flood Damage Prevention Law) of the Village Municipal Code is adequate to implement this policy.

POLICY 17

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 40 (Flood Damage Prevention Law) and Chapter 82 (Wetlands, Floodplains and Drainage) of the Village Municipal Code and the New York State Department of Environmental Conservation tidal wetland regulations are adequate to implement this policy.

POLICY 19

1. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THIS POLICY

See the part 1 and 2 discussions in this section for policies 20 and 20A.

POLICY 20, 20A

1. LEGISLATION THAT IMPLEMENTS THESE POLICIES

- a. Chapter 85, Article X, Section 85-32 (Approval of site development plans) has been amended to incorporate a provision that public access to the shoreline be shown on site plan development drawings.
- b. Chapter 85, Article II (Zoning Districts and Zoning Map), and Article III (District Regulations) has been amended by establishing a new Park District which will cover all Village lands committed to park and open space uses that are currently zoned for residential or commercial use.

2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THESE POLICIES

- Harborwalk Project
- Accessory Dock Project
- Central Business District Design Plan
- Waterfront Mini-park Projects
- Waterfront Park

POLICY 21

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

See the part 1 discussion in this section for Policies 1, 1A, etc...

2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THESE POLICIES

- Harborwalk
- Accessory Dock Project
- Hotel/Conference Center/Recreational Marina Project
- Waterfront Mini-park Projects
- Mobil Waterfront Park

POLICY 22

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

See the part 1 discussion in this section for Policies 1, 1A, etc.

2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THESE POLICIES:

- Harborwalk

POLICY 23

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

- a. Applicable laws of the State and federal government (SEQRA, National Historic Preservation Act) help to protect historic buildings, structures, and significant archeological or cultural areas within the Greenport Village Historic district.
- b. An Historic Preservation Local Law has been established which provides a procedure to identify, preserve and enhance the historic structures, sites, and districts of the Village. This law will also insure the harmonious, orderly, and efficient growth and development of the Village, consistent with its historic integrity.

POLICY 24

Not applicable.

POLICY 25

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

- a. Applicable laws of the State and federal government help to protect historic buildings, structures, and significant archeological or cultural areas within the Greenport Village Historic District. Chapter 85, Article 5 (Sign regulations) regulates the use of signs and marquees in the Village.
- b. Chapter 85, Article X, Section 85-32 of the Village code (Approval of site development plans) has been amended to include the provision for and/or maintenance of visual access to the waterfront to the maximum extent practical where it is desired and feasible. This provision, as a site plan development element, will be incorporated into site development plan maps and drawings, such as plan, elevation and perspective drawings of the proposed development.
- c. An Historic Preservation Local Law has been established to serve to preserve and protect the small harbor character and architecturally rich resources of the Village, as well as to insure the harmonious, orderly, and efficient growth and development of the Village, consistent with its historic integrity.

2. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THIS POLICY

- Harborwalk
- Central Business District Design Plan
- Waterfront Mini-parks

POLICY 26

Not applicable.

POLICY 27

Not applicable.

POLICY 28

Not applicable.

POLICY 29

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing State legislation is adequate to implement this policy.

POLICY 30

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 69 (Sewer use) of the Village Municipal Code is adequate to implement this policy. This law requires the use of the Village's municipal sewage system for all development within the Village.

POLICY 31

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Applicable State laws and procedures are adequate to implement this policy.

POLICY 32

Not applicable.

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

See the part 1 discussion in this section for Policies 1, 1A, etc.

POLICY 34

1. LEGISLATION THAT IMPLEMENTS THESE POLICIES

- a. Chapter 20 (Boats) of the Village Municipal Code stipulates that the dumping of oil, refuse, garbage, untreated sewage or waste is prohibited, except that toilets may be discharged in any areas not within one thousand (1,000) feet of any shoreline.
- b. Chapter 85, Article IV, Section 85-11 (Schedule of regulations) was amended to require that the location of pumpout facilities be shown on site plan proposals for all new marinas and expansions of existing marinas. Also, the Village will require that by June 1992 all existing marinas will have pumpout facilities.

POLICY 35

LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing State legislation is adequate to implement this policy. The New York State Department of Environmental Conservation will not issue permits for dredging when it has been determined that the anticipated impacts will exceed acceptable levels of State dredging permit standards, as set forth in regulations developed pursuant to the State Environmental Conservation Law.

POLICY 36

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing applicable Suffolk County and New York State laws are adequate to implement this policy.

POLICY 37

1. PUBLIC AND/OR PRIVATE ACTIONS THAT IMPLEMENT THIS POLICY

See the part 1 discussion in this section for Policy 33.

POLICY 38

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing applicable Suffolk County and New York State legislation is adequate to implement this policy.

POLICY 39

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing local and State legislation is adequate to implement this policy. There is currently no storage, treatment and/or disposal of hazardous wastes within the Village. No land use activity is permitted in the Village which will produce such hazardous wastes, as defined in Article 27 of the New York State Environmental Conservation Law.

POLICY 40

Not applicable.

POLICY 41

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing State legislation is adequate to implement this policy. Existing land uses which are permitted within the Village are restricted to marine oriented commercial and recreational, retail commercial, general commercial, residential, and open space uses. All of these land uses are unlikely to significantly impact air quality within the Village.



POLICY 42

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing State legislation is adequate to implement this policy.

POLICY 43

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Existing State legislation is adequate to implement this policy.

POLICY 44

1. LEGISLATION THAT IMPLEMENTS THIS POLICY

Chapter 82 (Wetlands, Floodplains, and Drainage) of the Village's Municipal Code and New York State Department of Environmental Conservation tidal and freshwater regulations are adequate to implement this policy.

D. MANAGEMENT STRUCTURE

All Village agencies will retain their current legislative and administrative responsibilities. However, when an action is proposed within the Village, as defined in the Compliance Procedures part of this section, a consistency determination will be made prior to approving, funding or undertaking the action by the respective Village agency to assure, that the subject action is consistent with the policies and purposes of this program. The Village Board of Trustees, Planning Board, Zoning Board of Appeals, and other Village agencies will be the municipal entities making consistency determinations.

Responsibilities related to the Local Waterfront Revitalization Program, other than those associated with consistency determinations, are assigned as follows:

Mayor - provides overall program supervision and management and is the local official responsible for the LWRP.

Village Board of Trustees - will monitor and coordinate, with other Village Boards and concerned non-governmental bodies, the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative, and other actions included in the program. The Village Board may cause to be prepared reports and communication concerning the program for the Department of State and other agencies of the State of New York, as may be appropriate or required. The Village Board of Trustees shall be the lead agency for the LWRP and will make the final decision as to the Village's position on the consistency of State and Federal actions with the Village's LWRP.

Planning Board - will advise the Village Board on LWRP implementation priorities. The Planning Board will monitor planned actions of local, State and Federal agencies within the Village, in order to review the consistency of such actions with the LWRP, and recommend remedial

action where necessary. It will be the responsibility of the Planning Board to make an annual report to the Village Board on progress achieved and on problems encountered with the LWRP during the year and may recommend actions to further implement the LWRP.

Community Development Office and Building Inspector - This office, when required, will assist and advise the Planning Board and Board of Trustees on whether proposed actions are consistent with the Village's LWRP. Subject to the approval of the Village Board, the Community Development Office will make application for funding from State, Federal, or other sources to finance LWRP projects.

Harbormaster - oversees boating activity along the Village's shoreline.

Village Clerk - keeps records of Village government actions in the waterfront area

#### E. COMPLIANCE PROCEDURES

##### LOCAL ACTIONS

In order to provide a framework for agencies of the Village of Greenport to consider the policies and purposes contained in the Local Waterfront Revitalization Program when reviewing applications for actions or direct agency actions in the Village, and to assure, that such actions are consistent with the LWRP policies and purposes, a local consistency law has been established.

Although the entire Village of Greenport lies within the State coastal boundary, only Type I or Unlisted actions, pursuant to the State Environmental Quality Review Law, proposed in the Village will be subject to the local consistency law.

Actions proposed in the Village identified as Type II, Excluded, or Exempt, as defined in the State Environmental Quality Review Law, or actions proposed outside of the Village will not be subject to the local consistency law.

The review procedure, as set forth by the local consistency law, will be as follows:

1. Whenever a proposed action is located in or to be undertaken in the Village, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards and conditions.
2. Whenever an agency receives an application for approval or funding of an action or as early as possible in the agency's formulation of a direct action to be located in the Village, the applicant, or in the case of a direct action, the agency, shall prepare a Coastal Assessment Form (CAF) to assist with the consistency review.
3. Prior to making its determination, the agency may solicit and consider the recommendation of the Community Development Office with reference to the consistency of the proposed action. The agency shall require the applicant to submit all completed applications, EAF's and any other

information deemed to be necessary to its consistency determination. The agency shall make the determination of consistency based upon such information, the recommendation of the Community Development Office, if requested, and the CAF.

4. The agency shall render its written determination within thirty (30) days following the submission by the applicant of the required information, unless extended by mutual agreement of the agency and the applicant.

The determination shall indicate whether the proposed action is consistent or inconsistent with one or more of the LWRP policy standards or conditions. The determination shall state the manner and extent to which any inconsistency affects the LWRP policy standards and conditions.

The agency shall, along with its consistency determination, make any suggestions to the applicant concerning modification of the proposed action to make it consistent with LWRP policy standards and conditions or to greater advance them. In the event that the agency's determination is not forthcoming within the specified time, the application shall be deemed to have received a determination that it is consistent.

5. Actions to be undertaken within the Village shall be evaluated for consistency in accordance with the LWRP policy standards and conditions, which are explained and described in Section III of this document. Agencies which undertake direct or funding actions shall also consult with Section IV of the LWRP in making their consistency determination.
6. If the agency determines that the action would cause a substantial hindrance to the achievement of the LWRP policy standards and conditions, such action shall not be undertaken unless the agency determines with respect to the proposed action that:
  - no reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policy standards and conditions;
  - the action would be undertaken in a manner which will minimize all adverse affects on such LWRP policy standards and conditions to the maximum extent practicable; and
  - the action will result in an overriding Village, regional or state-wide public benefit.

Such a finding shall constitute a determination that the action is consistent.

7. Each agency shall maintain a file for each action made the subject of a consistency determination. Such files shall be made available for public inspection upon request.

Procedures to be used for review of Federal and State actions for consistency with the LWRP are described below.

## STATE ACTIONS

For State agencies' consistency with the LWRP, the following consistency procedures are in effect:

1. When a State agency is considering an action in the Village, the State agency shall notify the Village Board of Trustees.
2. Notification of a proposed action by a State agency:
  - Shall fully describe the nature and location of the action;
  - Shall be accomplished by use of either the State Clearinghouse, other existing State agency notification procedures, or through any alternative procedure agreed upon by the State agency and local government;
  - Should be provided to the Village Board of Trustees as early in the planning stages of the action as possible, but in any event at least 30 days prior to the State agency's decision on the action. (The timely filing of a copy of a completed Coastal Assessment Form with the Village Board of Trustees should be considered adequate notification of a proposed action.)
3. If the proposed action will require the preparation of a draft environmental impact ment, the filing of this draft document with the Village Mayor can serve as the State agency's notification to the Village.
4. Upon receipt of notification from a State agency, the Village will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP.
5. If the Village 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 Village's finding, the State agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
6. If the Village 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 Village's approved LWRP.
7. If the Village 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 the proposed action as long as the Resolution of Conflicts Procedure described below shall apply. The Village 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 Village shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

8. The following Resolution of Conflicts Procedure applies whenever the Village has notified the Secretary of State and State agency that a proposed action conflicts with the policies and purposes of its approved LWRP.

- Upon receipt of notification from the Village that a proposed action conflicts with its approved LWRP, the State agency should contact the Village Board of Trustees to discuss the content of the identified conflicts and the means for resolving them. A meeting of the State agency and Village 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 Village.
- If the discussion between the Village and the State agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the Village 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.
- If the consultation between the Village 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 Village 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.
- 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 Village.
- 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.

#### FEDERAL ACTIONS

For Federal agencies' consistency with the LWRP, the following consistency procedures are in effect:

#### Direct Actions

1. After acknowledging the receipt of a consistency determination and supporting documentation from a federalState agency, the Department of State (DOS) will forward copies of the determination and other descriptive information on the proposed direct action to the Village Board of Trustees (Trustees) and to other interested parties.

2. This notification will indicate the date by which all comments and recommendations must be submitted to DOS and will identify DOS' 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 Village has "no opinion" on the consistency of the proposed direct federalState agency action with the LWRP policies.
4. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the Village, DOS will contact the Village to discuss any differences of opinion or questions prior to agreeing or disagreeing with the federalState agency's consistency determination on the proposed direct action.
5. A copy of DOS' "agreement" or "disagreement" letter to the federalState agency will

#### Permit and License Actions

1. DOS will acknowledge the receipt of an applicant's consistency certification and application materials. At that time, DOS will identify DOS' principal reviewer for the proposed action.
2. Within thirty (30) days of receiving such information, the Trustees 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 the LWRP policies.
3. When DOS and the Trustees agree that additional information is necessary, DOS will request the applicant to provide the information. A copy of this information will be provided to the Trustees 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 Trustees will notify DOS of the reasons why a proposed action may be inconsistent or consistent with the LWRP policies.
5. After that notification, the Trustees will submit the Village'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 Village has "no opinion" on the consistency of the proposed action with the LWRP policies.
6. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the Village on a proposed permit action, DOS will contact the Trustees to discuss any differences

of opinion prior to issuing a letter of "concurrence" or "objection" to the applicant.

7. A copy of DOS' "concurrence" or "objection" letter to the applicant will be forwarded to the Trustees.

#### 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 Trustees. A copy of this letter will be forwarded to the Trustees 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 acknowledgement to the Trustees. 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 Trustees must submit the Village's comments and recommendations on the proposed action to DOS within twenty (20) days (or other time agreed to by DOS and the Trustees) from the start of the review period. If comments and recommendations are not received within this period, DOS will presume that the Village has "no opinion" on the consistency of the proposed financial assistance action with the LWRP policies.
5. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the Village, DOS will contact the Trustees 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 Trustees.

#### F. FINANCIAL RESOURCES

Implementation of this waterfront program will require coordination among local, State and Federal agencies and officials, non-profit organizations, private individuals, and corporations to mobilize the necessary financial resources for each project.

For local management, administration, enforcement of regulations and projects, the Village will rely mainly on its tax revenues.

Areas of funding and technical assistance which may be made available to implement the program are:

- The Department of Housing and Urban Development Small Cities and Urban Development Action Grant Programs for Village economic development activities;

- Technical support from the NYS Department of Transportation for the Village's Traffic and Parking Study;
- Technical and financial support in the form of grants from the New York State Department of State Division of Coastal Resources and Waterfront Revitalization for the implementation of LWRP projects.
- Technical and financial support from the New York State Department of Parks, Recreation and Historic Preservation for identifying and evaluating historic resources within the Village;
- Technical and financial support from other State, or quasi-State agencies, for such things as the Village's Central Business District revitalization program.



SECTION VI

STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY  
TO AFFECT PROGRAM IMPLEMENTATION

SECTION VI. STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY  
TO AFFECT PROGRAM IMPLEMENTATION

State and federal actions will affect and be affected by implementation of the LWRP. Under State law and the Federal 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 makes the LWRP a unique, intergovernmental mechanism for setting policy-making decisions. While consistency requirements primarily help prevent detrimental actions from occurring and help ensure that future options are not foreclosed needlessly, active participation on the part 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 and Coastal Resources 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 general list of state and federal agency actions which are necessary to further the 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 cannot 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 Sections IV and 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 LOCAL PROGRAM

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:

Air Resources

- 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

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities.

Fish and Wildlife

- 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

Lands and Forest

- 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)

Marine Resources

- 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

Regulatory Affairs

- 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

Solid Wastes

- 9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.57 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 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 Initiatives Grant Program
  - 2.06 Rural Preservation Companies Program
  - 2.07 Rural Rental Assistance Program
  - 2.08 Special Needs Demonstration Projects
  - 2.09 Urban Initiatives Grant Program
  - 2.10 Urban Renewal Programs
- 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.

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.

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)

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.

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, lightering 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(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) 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 plants 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 Areawide 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

1. State Agencies

a. Department of Environmental Conservation

- (1) Approval of Freshwater Wetland Permits and Tidal Wetland Permits:  
Must be coordinated with local regulations and policies.
- (2) State Pollution Discharge Elimination System Permits:  
Should only be graded in conformance with the policies and criteria established in the LWRP so as to enforce its objectives.
- (3) Funding for Flood and Erosion Control Projects:  
Could further the objectives of the LWRP.
- (4) Construction Management Program:  
For wastewater treatment facilities, can be a source of funding for sewer repair and improvement.
- (5) Environmental Quality Bond Act, Title 7.

b. Office of Parks, Recreation and Historic Preservation

- (1) Nomination to State and Federal Register of Historic Places:  
Can assist in the preservation of historic landmarks through both legal protection and funding eligibility.
- (2) Provision of Funding:  
For State and local historic preservation activities.
- (3) Certification of Properties:  
Within the National Historic Register Districts.
- (4) Review of Type I Actions:  
Within the National Historic Districts.
- (5) Provision of Funding:  
For State and local activities from the Land and Water Conservation Fund.
- (6) Environmental Quality Bond Act, Title 9.

c. Department of State

- (1) Provision of Funding:  
For the implementation of an approved Local Waterfront Revitalization Program.

d. Department of Transportation

- (1) Assistance for Street Repairs:  
Through the Consolidated Highway Improvements Program.

d. Department of Transportation (continued)

- (2) Technical Input and Coordinated Assistance:  
For a comprehensive local traffic study.

e. Department of Commerce

- (1) Any action or the provision of funds:  
For the development or promotion of tourism related activities  
or development.

2. Federal Agencies

a. Department of Housing and Urban Development

- (1) Small Cities Program and Urban Development Action Grant Funds:  
Continued support from these programs for housing  
revitalization and economic development.

b. Department of Commerce

- (1) Tourism Promotion:  
Any action or provision of funds for the development or  
promotion of tourism related activities or development  
including the Harborwalk Project as described in Section  
IV.
- (2) Sea Grant Support:  
Is important to provide research and technical  
assistance to better understand and develop solutions to  
commercial fishing problems and other coastal matters.

c. Department of Defense, Army Corps of Engineers

- (1) Approval of Public and Private Marine Oriented Improvement  
Plans:  
Important for dredging, bulkhead repair and installation, dock  
repair and installation, dredging dredge spoil disposal sites,  
etc. to assure that such projects consider environmental  
consequences.

d. Environmental Protection Agency

- (1) Construction Grants for Wastewater Treatment Works:  
May provide assistance in increasing the capacity and  
effectiveness of the Village's sewage treatment plant.

e. Department of Transportation, Coast Guard

- (1) Navigation Devices:  
The location, placement, maintenance and removal of such  
devices.

- f. Federal Emergency Management Agency (FEMA)
  - (1) National Flood Insurance:  
The National Flood Insurance Program (NFIP) provides federally subsidized flood insurance to flood-prone areas in the Village.
- g. Department of Treasury, Internal Revenue Service
  - (1) Qualified Building Rehabilitation:  
Continuation of incentives for rehabilitation of qualified building structures.
  - (2) Tax Exempt Status Provisions:  
Appropriated for non-profit agencies active in the coastal area.
- h. Economic Development Administration
  - (1) Assistance for Street Improvements:  
Under the Public Works and Economic Development Act.
- i. Department of the Interior, National Park Service
  - (1) Review of Federal Actions:  
Within the National Historic Register Districts, review of federal actions pursuant to NEPA.

SECTION VII

CONSULTATION WITH OTHER AFFECTED  
FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES



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

Several government agencies and local organizations were consulted during the preparation of this waterfront program. Consultation during the preparation of the LWRP was accomplished through letters, telephone conversations, and meetings. The agencies and groups listed below provided substantive comments on the LWRP or provided information about the programs or regulations they administer.

Federal Agencies

Department of Commerce, Office of Coastal Resource Management  
Department of Commerce, Sea Grant  
Department of Housing and Urban Development

State Agencies

Department of State  
Department of Environmental Conservation  
Office of Parks, Recreation, and Historic Preservation  
Department of Transportation

Local Agencies

Suffolk County, Office of the County Executive  
Suffolk County, Suffolk County Planning Department  
Town of Southold, Planning Board  
Village of Greenport, Board of Trustees  
Village of Greenport, Planning Board  
Village of Greenport, Community Development Office

Comments received on the draft Local Waterfront Revitalization Program and Draft Environmental Impact Statement during the 60 day review period were reviewed by the Village Board of Trustees. The Village, as lead agency, prepared a Final Environmental Impact Statement (FEIS) which provided responses to all substantive comments received. Based on the FEIS, the final LWRP was prepared.

SECTION VIII  
LOCAL COMMITMENT

### SECTION VIII. LOCAL COMMITMENT

During the preparation of the Greenport LWRP, the material in the foregoing sections was discussed at public meetings of the Village Board of Trustees. These meetings were covered by the local press.

In addition to the public meetings and the public hearing on the draft LWRP and Draft Environmental Impact Statement on May 28, 1987, many meetings were held by the Village's planning consultants with officials, businessman, and property owners within Greenport. The program was also discussed at meetings of the Greenport Rotary Club, Greenport Village Merchant's Association, and the Greater Greenport-Southold Chamber of Commerce.

Over the past two years, from mid 1986 to mid 1988, the Department of State met frequently with Village officials to provide assistance in the development of the LWRP, the Draft and Final Environmental Impact Statements prepared for the LWRP, and the local laws necessary to implement the LWRP.

In this manner, a significant amount of time, interest and expertise was contributed by government officials, residents, and businessmen of the Village in the preparation of the LWRP. Citizen input improved the data base, provided alternatives, and expressed the values and concerns of the community.

Upon approval by the Village Board of Trustees, the draft LWRP, including the draft EIS, were submitted to the NYS Department of State for distribution to federal and State agencies for a 60-day review period, as required by Executive Law, Article 42. At the same time, the draft documents were filed and distributed as required by the SEQRA. As a result, there were a number of comments received from which further revisions and refinements needed in the LWRP were identified. These revisions and refinements were described in the final EIS and incorporated into the final LWRP document. The final program document, then, was adopted by the Village Board of Trustees and submitted to the NYS Secretary of State for approval.

