

**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR  
THE TOWN OF WATERFORD COMPREHENSIVE PLAN**

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## **I. EXECUTIVE SUMMARY**

### **A. *Description of Proposed Action***

The proposed action is the adoption of the Town of Waterford 2016 Comprehensive Plan (also referred to as the “Plan”) by the Waterford Town Board (Lead Agency). The Plan contains a description of the Town of Waterford and its present conditions, and articulates a vision for the Town along with goals and recommendations to achieve this vision. The Plan addresses the many interrelated local government, land use, economic, environmental, infrastructure and transportation issues confronting the Town. The Comprehensive Plan is intended to provide guidance, and to serve as the foundation, upon which future Town planning and policy decisions are to be based.

The proposed comprehensive plan was based upon significant public input that included establishment of an advisory committee, establishing and advertising all committee meetings as open to the public, conducting two community planning and visioning meetings for the public, conducting municipal staff and other community stakeholder interviews, and public hearings on the draft plan. The proposed plan includes four appendices detailing committee minutes, summary notes from public meetings, public workshop comment forms, and public presentation materials.

The Plan sets forth objectives and recommendations for six topic areas: enhancement of parks and recreation; protection of open space, scenic vistas and natural resources; promote long-term economic viability; preserve and promote the historic and cultural assets; capitalize economic opportunities on the waterfront, and address zoning, housing, and public health and safety of the Town. The Plan also offers an implementation strategy for achieving the stated goals and objectives of the Plan.

This generic environmental impact statement (GEIS) analyzes the environmental impacts, if any, for each of the goals and associated recommendations contained in the Plan. The Comprehensive Plan is not site specific or action specific in terms of particular defined actions for specific locations. The recommended actions offer general direction and tasks. As such, the Plan is mostly generic in nature.

Since the Town Comprehensive Plan is generic in nature, this DGEIS analyzes potential and generic scenarios. Future development projects, which are not specifically detailed in the Town Comprehensive Plan, will be subject to site-specific review under the State Environmental Quality Review Act (“SEQRA”) at the time they are proposed. The act of adopting a plan by

itself has no adverse impacts. It is the implementation of the plan in the future that could have impacts, and that is what this analysis concentrates on.

This document intends to provide the public and interested agencies with an understanding of the type of potential environmental impacts that may be associated with implementation of the proposed plan. This document presents an assessment of any potential adverse impacts and discusses the potential significance of those adverse impacts. It also identifies impacts that could require mitigation, and considers alternatives to the proposed action.

### ***B. Rationale for GEIS***

Pursuant to Town Law 272-a, towns are encouraged to undertake comprehensive planning. The Town Board has the sole authority to adopt a comprehensive plan for the Town of Waterford. No other agency has any approval authority over the adoption of a comprehensive plan for the Town. As such, the Town Board has declared themselves Lead Agency for this review.

As part of the required adoption process, the Town Board is required by 272-a to conduct an environmental review process pursuant to Part 617 (SEQR). Adoption of a comprehensive plan is an automatic Type I action. Both Town Law 272-a and the SEQRA regulations identify a generic environmental impact statement (GEIS) process as a recommended method for conducting the environmental review of comprehensive plans.

Section 617.10 of 6 NYCRR Part 617 states: "Generic EISs may be broader, and more general than site or project specific EISs and should discuss the logic and rationale for the choices advanced. They may also include an assessment of specific impacts if such details are available. They may be based on conceptual information in some cases. They may identify the important elements of the natural resource base as well as the existing and projected cultural features, patterns and character. They may discuss in general terms the constraints and consequences of any narrowing of future options. They may present and analyze in general terms a few hypothetical scenarios that could and are likely to occur."

The Town of Waterford has determined that adoption of their Plan is a Type I action, and the GEIS is the method to conduct the environmental analysis.

### ***C. Involved Agencies for SEQRA***

Under SEQRA, involved agencies are those agencies which have authority to fund, approve, or directly undertake some aspect of the proposed action. For this proposed action, the Town Board of the Town of Waterford is the only agency that has the authority to approve

or directly undertake the action. Therefore, the Town Board has declared itself lead agency. As lead agency, the Town Board is responsible for coordinating and conducting the SEQR process, and then deciding whether to exercise its authority to adopt or not adopt the Plan. As lead agency, the Town Board is also responsible for determining the scope and adequacy of this document, conducting a public hearing and comment period, coordinating the preparation of the Final GEIS, and preparing SEQR findings prior to adoption of the Plan.

The Saratoga County Planning Board is required under General Municipal Law 239-m to review a proposed comprehensive plan to determine if adoption of such plan will have any county-level impacts, and to make a recommendation on the approval or disapproval of the proposed plan. For purposes of a SEQR, the County Planning Board cannot serve as lead agency and is considered advisory only. The Town Board has referred the draft Plan to the County in May 2017, and received their recommendation that the plan be adopted.

Thus, the Town Board is the sole involved agency for this action.

#### ***D. Interested Agencies for SEQR***

Unlike involved agencies, interested agencies do not have the authority to fund, approve, permit, or directly undertake some aspect of the proposed action. Instead, interested agencies may have a general interest in the Plan and may contribute by submitting comments during the DGEIS comment period or public hearing.

The following agencies have been identified as interested agencies for this SEQR process:

- NYS Office of Parks, Recreation and Historic Preservation
- NYS Canal Corporation
- NYS Department of Transportation
- Village of Waterford
- Town of Halfmoon
- City of Cohoes
- City of Watervliet
- Town of Waterford Planning Board

#### ***E. Summary of Impacts***

As a result of the analysis conducted in this DGEIS, the Town of Waterford has concluded that adoption of the Comprehensive Plan will not result in any significant adverse environmental impacts. In fact, the Comprehensive Plan by intent and design promotes further environmental protection in Waterford. Adoption of the Plan and its subsequent implementation will result in overall beneficial environmental impacts and enhancement of the community. By design, implementation of the Plan will afford greater protection to the Town's environment and natural resources than is afforded under existing Town plan, laws and regulations. This will

occur because the Plan itself includes goals, recommendations and strategies to protect the environment. Further, the Plan expressly desires to see future development in the Town that is consistent with the environmental conditions of Waterford. This DGEIS notes where there is potential for small to moderate impacts to occur as a result of certain activities, and outlines criteria and thresholds to guide future projects in a way that mitigates or eliminates those potential impacts.

It is very important to note that the action of adopting the Comprehensive Plan, by itself, will not cause any change in environmental conditions or resources. However, this DGEIS analyzes the potential impact of what implementation of each policy could mean in terms of environmental impacts. The DGEIS generically discusses potential impacts as if each recommendation were to be carried out. Even with this higher level of scrutiny, the Town concludes that there are no significant adverse environmental impacts associated with full implementation of all recommendations contained in the Plan.

Adoption of the Comprehensive Plan will not result in approval of any specific development activity, program or funding, either private or public. As individual projects and activities are proposed and reviewed, environmental reviews may be necessary on a site-specific or project by project basis. Site-specific or project-specific environmental reviews would be conducted pursuant to all requirements of SEQRA, and at that time, will consider the scale of the proposed action and consistency with the concepts and vision outlined in the Comprehensive Plan.

This DGEIS illustrates that even when implementation of a recommended Plan action has the potential to cause some adverse environmental impact, such impact is not significant, can be mitigated, and is also far outweighed by the benefits of carrying out that recommendation.

## ***F. Alternatives***

Pursuant to SEQRA, the impacts between reasonable alternatives must be analyzed. This DGEIS considers the alternative to adopting the Comprehensive Plan to be not adopting it or adopting portions of the Plan. This discussion shows that the Town's environment will benefit from adoption of the full plan, and the community will be better served with it than if the Plan was not adopted.

## II. DESCRIPTION OF THE PROPOSED ACTION

### A. *Purpose and Need Of The Town Comprehensive Plan*

#### 1. Purpose of the Town Comprehensive Plan

The Town of Waterford establishes its draft Town Comprehensive Plan to provide its residents and officials with a vehicle that articulates the vision of the Town's future. It offers a set of goals and recommendations to attain that vision, and a prioritized plan for implementation. The Plan looks ahead 10 to 15 years. The Plan provides a detailed inventory of Town resources and provides maps of each. It also articulates weaknesses and constraints that need to be addressed, and opportunities for the future.

#### 2. Public Need for the Town Comprehensive Plan

The Comprehensive Plan was designed to specifically identify and address the challenges facing Waterford on a town-wide basis. It is in the public's interest for the Town to take a hard look at the long-term needs of the community, what its assets and weaknesses are, and how to best address them long-term. This DGEIS provides the appropriate venue in which to fully analyze potential adverse and positive impacts associated with the adoption of the proposed Comprehensive Plan.

Waterford sees ample value in having an up-to-date Plan. The Comprehensive Plan is valuable to the Town because:

- Previous versions of the plan have been joint Town/Village plans, and the Town now desires to have a long-term plan that addresses the specific needs of the Town.
- The last plan was developed in 2002 and is now 15 years old. In order to fully meet the needs of the community, the local government needs updated information that reflects current conditions and needs. Further, Town Law 272-a directs a municipality to regularly update its plan to keep it current. It is in the public's interest to keep it current.
- The Town desired to affirm and/or update the vision, goals, and long-term direction for the community. A comprehensive plan is recognized by New York State as being the best method to establish those community goals and policies.
- The Town wanted to be sure that it had the data, maps, and analysis required to support future grant-writing in the Town to fund projects.
- The Town wanted to be sure that other governmental agencies doing capital projects in the Town had an up-to-date plan upon which to consider their plans (as per Town Law 272-a).

### 3. Benefits of the Town Comprehensive Plan

While a comprehensive plan is not in itself a law or a regulation, it sets the stage for laws and regulations affecting a town's development. It does this by examining current conditions, existing regulations, and recommending policy and regulatory changes. It helps to ensure that land use controls are based upon an understanding of a community's needs and goals.

With that in mind, the prime benefit of adopting the Town Comprehensive Plan is to provide a vision, a comprehensive set of goals, and recommendations that will serve as a basis for future decision-making by Town officials and agencies. The Plan can be considered a blue-print or guide map outlining policy and direction for the Town. Regulations, capital projects, and programs can then be crafted to help Waterford meet those needs based on the direction offered in the Plan.

In addition to those actions and goals recommended in the Plan, more specific benefits also result from the adoption of the Town Comprehensive Plan. These include:

- Establishment of public policies to direct land use regulations.
- Use of the vision statement in promotion and marketing, and building a stronger sense of community.
- Support for future grant-writing.
- Having maps and data that can be used by the Town Board, Planning Board and the Zoning Board of Appeals in their decision-making processes.
- Having demographic and economic data that can be used by the business community and entrepreneurs to support economic development consistent with the needs and desires of the Waterford community.
- Having a document that other governmental agencies who are proposing capital projects in Waterford must consider in their planning efforts (See Town Law 272-a for that requirement).

### ***B. Summary of The Comprehensive Plan***

The Town of Waterford has developed, and desires to adopt, an updated comprehensive plan to guide future growth in the community. This plan is a written document that describes the current conditions and resources of the Town (Sections 2 through 11) and outlines the goals, principles, polices, strategies and actions for the long-range protection, enhancement, growth and development of the Town.

It has been developed pursuant to State Town Law 272-a, and is a blueprint for the future development, growth and preservation of the Town. It is designed to guide not only the



physical, environmental and economic development of the Town, but also addresses social and cultural resources. The Plan offers a comprehensive inventory of Town assets, uses public input to identify needs and a shared vision for the future, and outlines actions that can be taken in the future to help Waterford attain that vision. The Plan is based on public input, research, and analysis of data collected in and about the Town.

### **Elements of the Plan**

The Plan includes the following elements:

- Profile and Inventory of resources, land uses, and demographics of the Town including environmental and natural resources and
  - Land Use and Zoning
  - The Local Economy
  - Historic Resources
  - Housing
  - Recreational Resources
  - Infrastructure and Transportation
  - Local Administration;
- Issues, opportunities and challenges facing the Town;
- Long-term goals for the Town;
- Recommended Strategies;
- Implementation Priorities;
- Maps; and
- Appendices with details of public input.

The comprehensive profile and inventory included in the Plan documents the environmental setting of Waterford. The Town Board will refer to the Plans' data, maps, analysis, and discussion of each topic for this environmental assessment.

### **Plan Vision Revalidated**

The vision statement established in the Comprehensive Plan (page 9 of the Plan) is also relevant to this DGEIS. The vision statement was originally defined in 2002, and reaffirmed and updated in this Plan. It articulates Waterford's desire to have controlled and sustainable growth that promotes the community in a way that protects its natural environmental and infrastructure assets like rivers and canals, that promotes a sense of community, and that provides services to promote public health and safety. This vision statement has at its heart the desire to maintain community character and environmental quality as an integral part of its future development plans.

## Goals and Policies Established

The Plan recognizes the unique character and environmental features of Waterford, and seeks to protect and enhance them. This is evidenced by policies established in the Plan as follows:

- Provide and maintain high quality facilities and a variety of parks and recreational programs and opportunities for all ages and abilities.
- Protect open space, scenic vistas and other important natural resources.
- Maintain a healthy tax base and promote long-term economic viability.
- Preserve, promote and enhance historic and cultural assets.
- Capitalize on Waterford’s waterfront location, architecture, and history.
- Proactively direct future development in a manner that maintains the continuity of established residential neighborhoods and protect public health and safety.

Recreational, open space, scenic vistas, historic and cultural assets, and Waterford’s waterfront all have direct connections to the environmental resources in the Town.

## Summary of Recommended Actions

The draft 2016 Comprehensive Plan recommends the following actions.

### Comprehensive Plan Recommendations to Enhance Parks and Recreation

1.1: Improve existing parks and recreational facilities by providing better equipment and amenities
1.2: Promote and market Waterford’s recreational assets regionally and year-round
1.3: Make improvements to access and amenities at the formerly Alcathy’s Marina
1.4: Enhance trail connections to provide expanded public access to waterways, trail heads, and increase connections between the waterfront and residential or commercial areas

Actions Included in Plan to Implement these Recommendations Include:

- Revitalize and improve existing park areas by providing better equipment and amenities including a warming hut for winter use at Sugarloaf Pond, restocking the pond for fishing, and developing community gardens and dog parks at other existing parks in Town.
- Promote and market Waterford’s recreational assets to attract new visitors through new wayfinding signage, printed materials and websites. The Plan also calls for better signage to promote understanding and recognition of Waterford’s historic resources.
- Repair existing state boat launch at the Waterford Flight of Locks of the Erie Canal. To implement this work could include bulkhead construction, extension of utilities and installation of lighting.

- Expand public access to existing trails at the Champlain Canalway Trail, Waterford Flight, upgrade park facilities at Lock 6, develop Northern Mohawk River Trail to Halfmoon, and develop Cohoes Falls Trail.

Comprehensive Plan Recommendations on Environment, Open Space, Scenic Vistas and Natural Resources

- 2.1: Establish a waterfront overlay district with development standards to ensure that development within or immediately adjacent to scenic viewsheds are compatible with, complement and enhance viewshed and not compromise irreplaceable environmental and scenic resources
- 2.2: Interact with the City of Cohoes, City of Troy, and New York State Office of Parks, Recreation and Historic Preservation and appropriate others to develop a strategy and implement appropriate land use controls to protect and enhance shared and mutually beneficial (from a tourism perspective) shoreline areas, historic resources, and scenic viewsheds

Actions included in Plan to Implement these Recommendations Include:

- Protect the environment and scenic qualities in areas near Cohoes Falls, and enhance public access with caution to ensure protection of the environment. The Plan makes clear the need to ‘not degrade the natural environment or detract from water dependent uses.’
- Establish a waterfront overlay district<sup>1</sup> with development standards to protect shoreline areas and ensure development there compatible and not compromising of environmental and scenic resources. This recommendation is connected to the Town’s Local Waterfront Revitalization Plan (LWRP). The Plan suggests a 500’ wide overlay with use of the NYS Erie Canal Corridor Overlay Zone Regulations as a model. The overlay could prohibit intensive and highly impacting uses such as solid waste disposal, mining, truck terminals, fuel storage and industrial chemical storage and processing.
- The Plan recognizes the importance of protecting ‘irreplaceable and economically valuable natural and historic resources, particularly Cohoes Falls, Peebles Island, Matton Shipyard, and the river and canal viewsheds. Develop strategy and land use controls to protect and enhanced shared shoreline areas, historic resources and scenic viewsheds.

Comprehensive Plan Recommendations For Economic Development

- 3.1: Attract and retain small businesses along Saratoga Avenue and along Hudson River Road
- 3.2: Develop and implement a streetscape improvement program to improve the appearance and conditions of street and sidewalks in order to provide access to residents and visitors of all ages and abilities
- 3.3: Attract and retain industry located in the Hudson River Road sub-area

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<sup>1</sup> See proposed text in Appendix 2.

Actions Included in Plan to Implement these Recommendations Include:

- Implement a microenterprise assistance program.
- Add a position of Town/Village Economic Development Director.
- Provide for proper amenities and facilities for cyclists and pedestrians in new subdivisions and developing areas.
- Develop streetscape and facade improvements including curbs, traffic calming, pavement print at crosswalks, antique lighting, street trees and furniture, directional signage. Develop design guidelines to ensure that building rehabilitation, facade improvements and infill construction is compatible with historic character.
- Streetscape improvements on Saratoga Ave to make area more visually appealing, slow traffic, more pedestrian friendly, stronger connection with Broad Street, and visible linkages to River and trails.
- The Plan promotes economic development programs that would enhance economic opportunities while protecting important natural resources. Further, the Plan calls for focusing industrial uses to the existing Hudson River Road industrial area.

*Comprehensive Plan Recommendations to Preserve, Promote and Enhance Historic and Cultural Assets*

4.1: Develop detailed design guidelines to assist the planning and zoning boards and property owners to make changes that are compatible with the architectural character and scale of historic buildings

4.2: Strengthen the Town's historic preservation laws by incorporating design guidelines, the two existing historic preservation ordinances, and building maintenance provisions into the Town Zoning Ordinance

4.3: Develop and implement a facade improvement program for commercial and residential facades to improve the physical appearance of structures

4.4: Expand and strengthen signage and interpretive programs to make residents and visitors more aware of the wide range of historic resources in Waterford

Actions included in Plan to Implement these Recommendations Include:

- Develop design guidelines to ensure building rehabilitation, facade improvements and infill construction is compatible with historic character.
- Reconsider formation of a historic district commission to review construction in the local historic district.
- Establish a facade improvement program when design guidelines are completed. Target to Saratoga Ave properties and offer incentives for participation.
- Strengthen interpretation programs including an interpretative scheme for wayfinding signage at specific locations, development of additional maps showing key points of interest, and self-guided walking tours.

*Comprehensive Plan Recommendations to Stimulate Economic Development by Capitalizing on the Waterfront*

5.1: Improve linkages between the waterfront and commercial or residential areas

5.2: Implement the projects that were identified in the Waterford's 2002 Local Waterfront Revitalization Program (LWRP)

Actions Included in Plan to Implement these Recommendations Include:

- Implement recommendations in the adopted 2002 Local Waterfront Revitalization Plan (LWRP). These include gateway improvements, trail and park enhancements, facade and streetscape improvements, trail and park enhancements, and directional and wayfinding improvements.

*Comprehensive Plan Recommendations to Proactively Direct Future Development in Town*

6.1: Update the Town's Zoning Code to incorporate more modern tools and approaches to guiding growth and development

6.2: Consider adopting Conservation Subdivision Regulations

6.3: Explore new and different ways to promote a broader choice of housing variety and housing options

6.4: Promote future growth and development in areas of Town that support and contribute to the sustainability of the Waterford School District

6.5: Market the Town's housing stock by capitalizing on the historic architecture of the houses and neighborhoods in general to attract new homeowners

Actions Included in Plan to Implement these Recommendations Include:

- Re-examine zoning related to existing commercial and industrial districts to determine relevance and proper location.
- Adopted conservation subdivision design to protect and maintain rural character in the Town.
- Re-examine regulations related to housing variety and options to be more responsive to contemporary housing issues, needs and trends.
- Re-examine and update zoning to promote residential and commercial growth in areas corresponding to the Waterford-Halfmoon School District.
- The Plan recognizes that the high quality of life in Waterford is highly influenced by the Town's historic features, unique proximity to the Canals and Rivers, and recreational opportunities. It needs to protect and enhance those features to attract new homeowners to invest in rehabilitation and residential improvement projects. Market

housing stock through a Town/Village marketing effort that highlights the assets of the community to new families.

**C. *Adoption of a Comprehensive Plan***

The Town Board has the sole authority to approve and adopt the Plan. There are no other agencies that have approval power over the Comprehensive Plan or any portion thereof. Prior to adoption, the Plan must be referred to the Saratoga County Planning Board as per General Municipal Law §239-m and a recommendation to approve or not approve made by them. The Town Board has the authority to override a negative decision by the County Planning Board through a super majority vote of Town Board members. The Plan will be adopted by a resolution of the Town Board.

### III. ENVIRONMENTAL SETTING

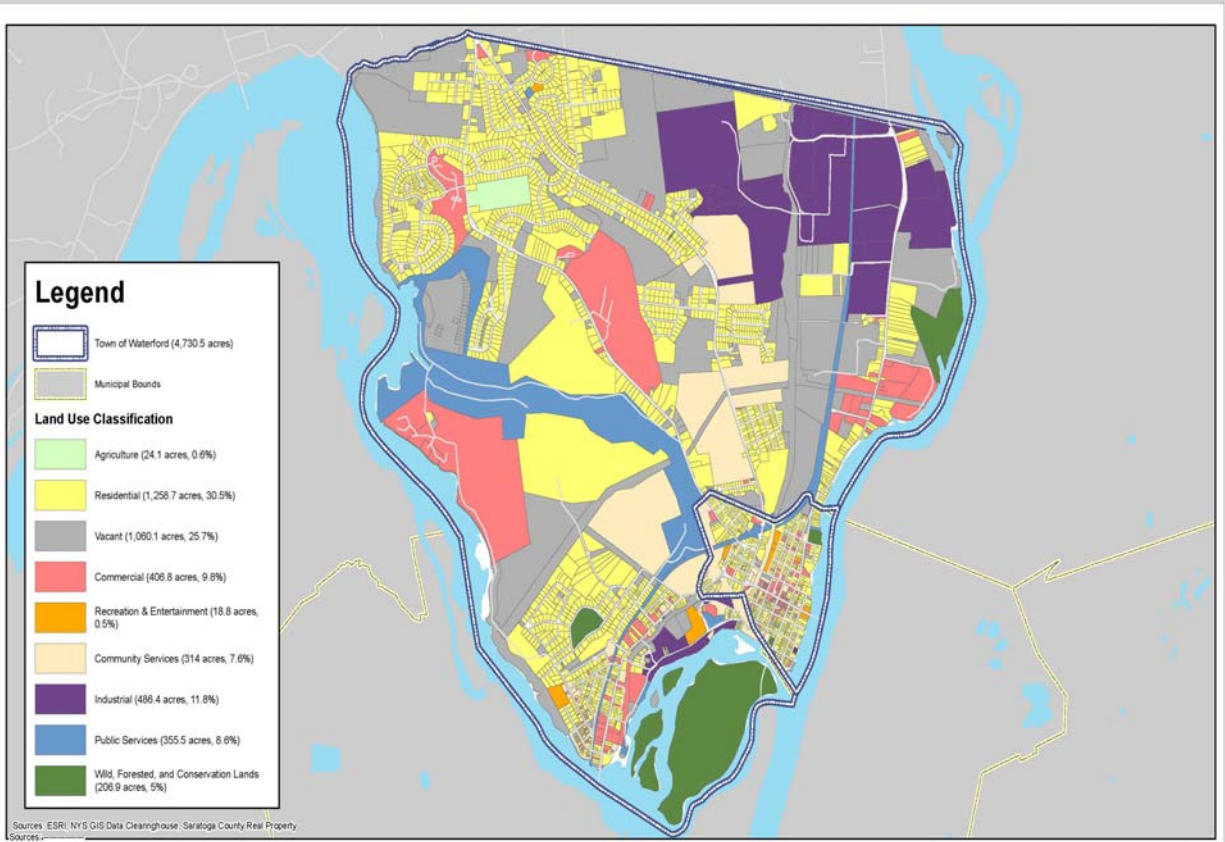
The Plan in and of itself describes the full environmental setting in the Town. It contains comprehensive data, maps and descriptions of the built and natural environmental features in the Town of Waterford. The environmental setting is set out in pages 4 through 125 of the Plan and information is provided about:

- Demographic Characteristics
- Land uses and Zoning
- Local Economy
- Historic Resources
- Environmental and Natural Resources
  - Topography
  - Steep slopes
  - Soil Types
  - Wildlife and Fish Species
  - Water Resources and Wetlands
  - Floodplain
  - Hazardous Waste sites
- Housing
- Recreational Resources
- Infrastructure and Transportation (Water, Sewer, Roads)
- Local Administration (Government Structure, Fiscal Matters, Public Safety, etc.)

In addition, the inventory is further supported by a series of 15 maps that show the following aspects of the Town:

- Land use
- Zoning
- Land use patterns in the past few years
- Regional setting
- Historic places
- Soils
- Wetlands
- Floodplains
- Open space and recreation areas
- Transportation system

Each Section of the Plan also offers analysis of that information via a description of strengths, weaknesses, and opportunities (SWO) that present themselves. Table 1 summarizes these conclusions. This is relevant because the recommendations made in the Plan are designed to address these specific findings.





**Table 1a. Town of Waterford Strengths (Derived From Sections 2 through 11 of the Proposed Plan.)**

<b>Plan Identified Strengths</b>
Walking Trail along Waterford Flight
Canal
Undeveloped Mohawk River Shoreline
Cohoes Falls
Historic resources
Natural resources
Clement Park
Historic architectural and industrial archaeology resources
Waterford Historical Museum
Waterford Visitors Center
Peebles Island State Park
Small islands in fourth Branch of Mohawk River
Existing LWRP
Champlain Trail Scenic Byway
Mohawk Towpath Trail Scenic Byway
Industrially zoned land on Routes 4 and 32
Water and sewer infrastructure
Waterford IDA
National Register buildings
Historic districts in place
Hudson Mohawk Industrial Gateway
RiverSpark Heritage Area
Parks and recreation facilities

**Table 1b. Town of Waterford Weaknesses (Derived From Sections 2 through 11 of the Proposed Plan.)**

<b>Plan Identified Weaknesses/Constraints</b>
Steep slopes in certain locations
Floodplain
Waterfront privately owned
Southern gateway not aesthetically pleasing
Sugarloaf Pond/Saratoga Ave area cut off from boat traffic
Lack of sidewalks and high volume of truck traffic in Sugarloaf area
Museum Lane narrow, housing in poor condition, poor entrance to Historical Museum and Canalway Trail
Lack of knowledge about the historic and recreational resources that exist in area
Saratoga Ave area has lost much of its historic integrity
Peebles Island State Park underutilized and restricted for development due to archaeological sensitivities

<b>Plan Identified Weaknesses/Constraints</b>
Lack of links between waterfront and Broad and Saratoga Aves.
Limited retail and restaurant establishments
Limited parking in commercial areas
Competition with malls and big box stores nearby
Poor streetscapes and building conditions in some locations constrains heritage tourism
Lack of interpretive signage and promotion of trails
Seasonal flooding in some areas
Lack of public funding to improve facades and building exteriors
Advanced age of building stock – gives negative impression of area.
Wet and shallow soils
Solid waste concerns due to old industrial sites
Needs housing rehabilitation
Absentee landlords
Lack of senior housing
Dumped trash at Lock 5
Traffic safety issues and speeding on Saratoga Ave.

**Table 1c. Waterford Opportunities (Derived From Sections 2 through 11 of the Proposed Plan.)**

<b>Plan Identified Opportunities</b>
Scenic views from undeveloped Mohawk shoreline
Recreation and interpretation value of historic and natural resources
Infill opportunities with zoning changes
Trails have potential to be enhanced
More recreation use on trails and Canal Corporation lands
Improve streetscape of southern gateway area with facade and other improvements
Increase tourism with amenities and more interpretation of historic and natural resources
Develop Inn and Restaurant at the Point idea
More promotion, signage, maps for Historical Museum and at Peebles Island
Return Matton Shipyard to use as a tug boat business area
Adopt waterfront consistency laws to protect and take advantage of waterfront
Create waterfront overlay district
Require site plan review for all new development
Add waterfront development review standards to site plan review
Promote wider selection of restaurants
More interpretive signage and wayfinding for trails
Develop facade and building rehabilitation programs
New demands for residential and commercial developed spurred by Global Foundries
Restore Lock 5
Provide for more senior housing

<b>Plan Identified Opportunities</b>
Mechanicville-Halfmoon trail segment of old Champlain Canal can link Canal Trail to regional trail network

#### **IV. POTENTIAL IMPACTS AND MITIGATION PERTAINING TO EACH OF THE PLANS OVERALL GOALS AND RECOMMENDATIONS**

The Town of Waterford Comprehensive Plan addresses six major topics. The planning process established these topics because they are important to the maintenance of a high quality of life, and promote the health and safety of the citizens of the Town. These topics are identified as those that define issues or important aspects of the Town. Each topic plays a role in the sustainability of the community. Taken together, these topics constitute the major tenets of the Comprehensive Plan. These topics are:

- Parks and Recreation
- Open Space, Scenic Vista's, and Natural Resources
- Tax Base and Long-Term Economic Viability
- Historic and Cultural Resources
- Waterford's Waterfront
- Proactively Direct Future Development

Each topic area has a series of recommendations designed to address opportunities and constraints for that topic.

##### **A. General Discussion of Potential Adverse Impacts Related to Land Development and Use.**

This DGEIS discusses a variety of potential and generic impacts that could result from future growth and development in the Town. An analysis of these potential impacts of future implementation of each recommendation included in the Comprehensive Plan uses the general information in Table 2. Note this is a generic discussion and not specific to any one location within the Town of Waterford and should be used to generally inform.

**Table 2. Potential Generic Environmental Impacts Discussed in DGEIS**

<b>Potential Generic Environmental Impacts in Waterford Resulting from Development</b>	
<b>Environmental Resource in Town from Plan</b>	<b>General Discussion of Potential Adverse Impacts on Resources When Development Occurs</b>
<b>Water and Wetland Resources (includes groundwater, streams, lakes, wetlands, floodplains)</b>	Development actions could affect water and modify water quantity thus decreasing the availability of potable drinking water and changing stream and wetland ecosystems that rely on groundwater.
	Development actions could affect water, increase flooding, or cause sedimentation resulting in loss of wildlife habitats, loss of recreational opportunities, and impaired water quality. Loss of vegetation growing along streams, canals and rivers (riparian zone) can raise water temperature, change wildlife habitats, alter stream ecology, and change the aesthetic character of the stream. Change in land cover (from forested to lawn for example) can increase peak flows, which in turn could increase speed and flow of water in creeks. This would further erode stream banks. Increased peak flows would also increase the level of soil being eroded.
	Development actions could cause loss of wetlands resulting in loss of natural flood control, a decrease in water quality and quantity, loss of open space, and loss of critical wildlife and plant habitats.
	Development actions could cause loss of floodplain or a reduction in floodplain functioning. This could decrease the natural ability of floodplains to hold and slow flood waters resulting in increased flooding and flood severity. It could also result in further bank erosion, loss of streamside vegetation, loss of aquatic habitats, and increased safety concerns related to people and structures.
<b>Ecosystem Resources (plants and animals)</b>	Development actions could change wildlife habitats and thus reduce biodiversity. Some wildlife species could be eliminated with loss or fragmentation of habitats. Wildlife travel corridors can be disrupted and food sources lost. These would result in loss of recreation, change in the quality of life for people, and alter the natural ecosystem.
<b>Topography</b>	Development actions could decrease forest cover, add impermeable surfaces that will increase peak water flows, and increase sedimentation into streams if shallow soils are eroded off steep slopes. Since multiple environmental resources relate to steep slopes, impacts to this resource can be considered a combination of impacts of other categories.
<b>Soils and Geology</b>	Development actions could increase surface water runoff and erosion by adding impermeable surfaces such as buildings, parking lots, and roads. There could also be increased contaminant concentrations in surface water by increasing peak flows from impermeable surfaces.

<b>Potential Generic Environmental Impacts in Waterford Resulting from Development</b>	
<b>Environmental Resource in Town from Plan</b>	<b>General Discussion of Potential Adverse Impacts on Resources When Development Occurs</b>
<b>Visual Character</b>	Development actions could change the visual quality by introduction of land uses that are not congruent or of a scale common to the community, removal of vegetation, add multiple curb cuts to roads and driveways, increase lighting, signage, traffic, signage, and other changes in the broad landscape.
<b>Open Space</b>	Development actions could reduce open space lands. A reduction in open space lands could result in removal of naturally vegetated land covers which serve to reduce peak water flows, reduce erosion potential, maintain wildlife habitats, maintain aesthetic conditions, and recreational opportunities.
<b>Recreational Resources</b>	Development actions could reduce open space lands and outdoor recreational opportunities and at the same time could result in increased use of these resources so that it would indirectly cause damage to the facility, increase maintenance needs, cause traffic congestion, and reduce the positive attributes of the resource.
<b>Historic and Cultural Resources</b>	Development actions could cause the destruction of historic and cultural resources, which in turn reduces recreational opportunities and economic potential of the Town and changes community character.
<b>Other Resources (Air, transportation, energy, noise and odor, public health)</b>	Development actions could cause emissions of dust, chemicals or other particles that would impair air quality. Transportation systems can be impaired with additional traffic which could damage road and bridge surfaces, cause additional roads or bridges to be built which could change landscapes, increase runoff, cause wildlife mortality, and change the character of the Town. New uses can require energy uses that may not be available in Town. New uses can increase noise levels which can impair health of people and wildlife. New uses can cause the release of smoke and other air pollutants that could be hazardous and/or result in objectionable odors. All these issues can diminish public health.

For the analysis of environmental impact, each recommendation made in the Plan is evaluated for potential generic impacts from Table 1, then further identified as to what the magnitude, duration, extent and likelihood of those impacts would be. SEQRA requires an analysis of the magnitude, duration, extent and likelihood of impacts to determine if the impact is considered significant. Table 3 outlines the potential levels analyzed for each of those.

**Table 3: Categories Use in Analysis of Magnitude, Duration, Extent, and Likelihood of Potential Generic Impacts.**

<b>Magnitude:</b>	<b>Duration:</b>
Minor	Long-term
Moderate	Medium-term (intermittent)
Major or Severe	Short-term
<b>Extent:</b>	<b>Likelihood:</b>
Large	Probable
Medium (localized)	Possible
Small (Limited)	Unlikely

## B. Identification and Discussion of Potential Impacts

### Goal 1: Parks and Recreation

1.1: Improve existing parks and recreational facilities by providing better equipment and amenities

1.2: Promote and market Waterford's recreational assets regionally and year round

1.3: Make improvements to access and amenities at the formerly Alcathy's Marina

1.4: Enhance trail connections to provide expanded public access to waterways, trail heads, and increase connections between the waterfront and residential or commercial areas

The above actions for Goal 1 have the following potential generic impacts and have been analyzed using Appendix 1 to determine significance:

**Potential Direct Adverse Impacts:** Implementation of Actions to Address these Recommendations May Adversely Affect the Environment through: construction activities at existing park areas, activities to create new park facilities at Lock 6, adding fish species to local waters, placement of new signs in the streetscape, construction activities at the State boat launch (bulkhead construction, extension of utilities and installation of lighting), and construction activities to expand and create new trails.

These construction activities could increase impervious surfaces, increase erosion and stormwater runoff which may adversely impact surface waters, reduce natural vegetation which may adversely impact fish and wildlife, change the aesthetic character of a location, and alter flooding patterns.

**Potential Indirect Adverse Impacts:** Implementation of Actions to Address these Recommendations May Adversely Affect the Environment through: Attraction of additional tourists and residents to the Town by enhancing park and recreation facilities may cause increased traffic congestion, crowding, increased demand on public services, and increased maintenance costs to the Town. Enhanced amenities could, and it is hoped would attract more residential and commercial development. That in turn could result in other impacts associated with development.

**How likely it is that these potential adverse impacts will occur:** Unlikely for the direct impacts identified above because all construction along the Canal, rivers or other waterfronts would need to meet all environmental requirements from NYS DEC and be consistent with the Town of Waterford LWRP. Those requirements would ensure that proper planning and mitigation was included in the project. These would include use of proper stormwater management practices during construction, using best management practices consistent with shorelines and waterfronts such as setbacks, buffers, and maintenance of natural vegetation.

It is possible that adverse impacts could occur related to the indirect impacts identified above. While ultimately enhanced park and recreation amenities may increase the desirability of Waterford for residential and commercial uses, such activities would still need to be permitted uses and would be required to meet all the zoning and subdivision regulations which already establish densities, setbacks, and other development requirements so that the development is consistent with the capacity of the land. When approving a PDD, where the development standards may be more flexible, the Town should ensure that all environmental protections discussed in the Plan are included in any PDD approval.

**How large could the impact be:** Minor and localized.

**What is the time frame during which the impact could occur:** Short-term for impacts related to direct construction activities. Induced growth that might occur would have long-term impacts.

**How significant could the impacts be:** No significant adverse environmental impacts are anticipated from policies and actions related to this goal. Overall, unlikely, minor magnitude, localized impacts of short duration are not considered significant impacts by the Town. For other projects, future SEQR procedures would need to evaluate the significance of potential impacts based on the proposal.

**Thresholds and Criteria:** In implementing these actions, the Town of Waterford should ensure that:

- Any waterfront project meets LWRP criteria; NYS DEC SWPPP, streambank, and other permitting requirements;
- Uses erosion and sedimentation control best management practices during construction;
- Identifies if any sensitive habitats for fish and wildlife species exists and construction avoids them;
- Minimizes impervious surfaces;
- The Town evaluates availability and capacity of road, water, sewer and other public services;
- The Planning Board continues to comprehensively review and conduct the required SEQR analysis for development proposals associated with a PDD, subdivision, site plan or special use permit for consistency with local laws. The Board shall especially review and ensure that the project is consistent with the capacity for roads, water and sewer in the Town, that the review includes a traffic impact analysis if the project will introduce more than 100 cars per day, that the layout and design of the project will be reviewed for consistency with the aesthetic character of the neighborhood and town, that the project includes pedestrian opportunities, that the project preserves the maximum amount of natural vegetation and green space as feasible, and that noise, glare and light pollution and other impacts are eliminated or mitigated.

- When a PDD is proposed, it would be advantageous for the Town Planning Board to take on the Lead Agency role for the SEQR review and require use of the Full Environmental Assessment Form.

**Potential Positive Impacts:** Implementation of Actions to Address these Recommendations May Positively Affect the Environment through: Provision of these amenities will enhance outdoor recreation, public health (through promoting more exercise), increase quality of life for residents, promote economic development for small businesses, and enhance community character and visual aesthetics – all of which are expressed goals established in the Plan.

## **Goal 2: Environment, Open Space, Scenic Vistas and Natural Resources**

2.1: Establish a waterfront overlay district with development standards to ensure that development within or immediately adjacent to scenic viewsheds are compatible with, complement and enhance viewshed and not compromise irreplaceable environmental and scenic resources.

2.2: Interact with the City of Cohoes, City of Troy, and New York State Office of Parks, Recreation and Historic Preservation and appropriate others to develop a strategy and implement appropriate land use controls to protect and enhance shared and mutually beneficial (from a tourism perspective) shoreline areas, historic resources, and scenic viewsheds.

The above actions for Goal 2 have the following potential generic impacts and have been analyzed using Appendix 1 to determine significance:

**Implementation of Actions to Address these Recommendations Will Protect, Rather than Adversely Impact the Environment Through:** amending the zoning law to incorporate a mapped waterfront overlay district that would protect the Mohawk River shoreline near Cohoes Falls, both sides of the Waterford Flight, the Hudson River shoreline, the Champlain Canal shoreline, and the shoreline areas of Peebles Island with development standards and controls designed specifically to protect shoreline locations. This would allow for development but require it to be done in a manner sensitive to shoreline habitats and functioning. The overlay district would help preserve natural, scenic and historic resources, avoid erosion and sedimentation along the waterways, allow for uses that are compatible, prohibit those that are not appropriate (such as solid waste disposal or junkyards), and direct more intense uses to locations more appropriate. The NYS Erie Canal Corridor Plan’s Model Overlay Zoning Regulations would be used to develop this district. Further, the Plan specifically recognizes the valuable natural and historic resources at Cohoes Falls, Peebles Island, Matton Shipyard, and the river and canal viewsheds and calls for them to work with other area municipalities and partners to establish better land use controls that allow for land uses that will not adversely affect those resources.

The environmental setting in the Town of Waterford does pose several significant constraints on future development however. “Development within the Town and Village of Waterford is constrained by a number of environmental factors including floodplain areas, steep slopes and wetlands. Shoreline areas in several locations are protected as land conservation districts under Town and Village zoning ordinances. The majority of the land between the old Champlain Canal and the Hudson and Mohawk



Rivers lies within the 100-year flood plain, with small areas just beyond the 100-year boundary lying within the 500-year flood plain. Small, isolated areas within the 100-year flood plain boundary are also designated 500-year flood zones. The largest of these areas exists on the eastern edge of the Champlain Canal within the Village, and around the northeast and eastern edges of Peebles Island.

Steep slopes preclude most development in many areas of the Town, although some of these areas, particularly along the Mohawk River in the Upper Mohawk sub-area, have begun to be developed for residential use. Within the waterfront revitalization area, steep slopes are concentrated in the southwestern section of the Hudson River Road sub-area and the Lower Mohawk/South Waterford Flight sub-area.

Wetland areas are located exclusively in the Hudson River Road sub-area to the north of the Village's northern boundary. One wetland area is located between the Champlain Canal and the Conrail right-of-way, another wetland area is located between the railroad right-of-way and Hudson River Road, and a third wetland area is located between Hudson River Road and the Hudson River shoreline."<sup>2</sup>

### **Goal 3: Economic Development**

3.1: Attract and retain small businesses along Saratoga Avenue and along Hudson River Road

3.2: Develop and implement a streetscape improvement program to improve the appearance and conditions of street and sidewalks in order to provide access to residents and visitors of all ages and abilities

3.3: Attract and retain industry located in the Hudson River Road sub-area

The above actions for Goal 1 have the following potential generic impacts and have been analyzed using Appendix 1 to determine significance:

**Potential Direct Adverse Impacts:** Implementation of Actions to Address these Recommendations May Adversely Affect the Environment through: construction activities related to streetscape improvements such as new curbs, sidewalks, intersections, placement of lighting fixtures, and new signs.

**Potential Indirect Adverse Impacts:** Implementation of Actions to Address these Recommendations May Adversely Affect the Environment through: Success in new economic development programs may promote more residential and commercial development in the Town. See Table 1 for a general discussion of potential impacts related to development. Potential adverse impacts could result from promotion of new construction within new subdivision, multi-family structures, and commercial parcels. Enhanced economic activity could adversely affect the Town in a variety of ways. It could reduce greenspaces, increase demand for public services (water, sewer, and parks), increase traffic congestion, degrade community character, cause a loss of historic structures if demolition is required, cause physical

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<sup>2</sup> From the Town and Village of Waterford Local Waterfront Revitalization Plan.

alteration of land, change water flows and flooding within a floodplain, reduce plant and animal habitats, impact historic and archaeological resources through construction, increase use of energy, and add more lights at night to create light pollution. New industrial uses in the industrial district may be consistent with the zoning and desired land use pattern in the Town, but could add truck traffic, noise, air or water pollution, and other adverse impacts.

**How likely it is that these potential adverse impacts will occur:** Unlikely for the direct impacts related to streetscape improvements. These activities would occur with use of proper stormwater and erosion management practices during construction.

It is possible that adverse impacts could occur related to the indirect impacts identified related to increased economic activity that could result. New economic development could cause one or more of the potential impacts outlined in Table 1. All such activities however, would still need to be permitted uses and would be required to meet all the zoning and subdivision regulations which already establish densities, setbacks, and other development requirements so that the development is consistent with the capacity of the land. When approving a PDD, where the development standards may be more flexible, the Town should ensure that all environmental protections discussed in the Plan are included in any PDD approval.

**How large could the impact be:** Minor and localized.

**What is the time frame during which the impact could occur:** Short-term for impacts related to direct construction activities. Induced growth that might occur would have long-term impacts.

**How significant could the impacts be:** No significant adverse environmental impacts are anticipated from policies and actions related to this goal. Overall, unlikely, minor magnitude, localized impacts of short duration are not considered significant impacts by the Town. For other projects, future SEQR procedures would need to evaluate the significance of potential impacts based on the proposal.

**Thresholds and Criteria:** In implementing these actions, the Town of Waterford should ensure that:

- Allowable uses in the zoning promote those that are consistent with the Comprehensive Plan.
- Any waterfront project meets LWRP criteria; New York State Department of Environmental Conservation Stormwater Pollution Prevention Plan (NYS DEC SWPPP), streambank, and other permitting requirements;
- Uses erosion and sedimentation control best management practices during construction;
- Identifies if any sensitive habitats for fish and wildlife species exists and construction avoids them;
- Minimizes impervious surfaces;
- New industrial or manufacturing uses in the Hudson River Road sub-area includes adequate buffers, minimizes impervious surfaces, includes adequate landscaping, and is evaluated for noise, air, traffic and visual impacts.
- Any new mixed use or residential uses allowed in that area is consistent with the Plan, and the suggested thresholds and criteria listed in this DGEIS.
- The Town evaluates availability and capacity of road, water, sewer and other public services;

- The Planning Board continues to comprehensively review and conduct the required SEQR analysis for development proposals associated with a PDD, subdivision, site plan or special use permit for consistency with local laws. The Board shall especially review and ensure that the project is consistent with the capacity for roads, water and sewer in the Town, that the review includes a traffic impact analysis if the project will introduce more than 100 cars per day, that the layout and design of the project will be reviewed for consistency with the aesthetic character of the neighborhood and town, that the project includes pedestrian opportunities, that the project preserves the maximum amount of natural vegetation and green space as feasible, and that noise, glare and light pollution and other impacts are eliminated or mitigated.
- When a PDD is proposed, it would be advantageous for the Town Planning Board to take on the Lead Agency role for the SEQR review and require use of the Full Environmental Assessment Form.

**Potential Positive Impacts:** Implementation of Actions to Address these Recommendations May Positively Affect the Environment through: Providing for proper amenities and facilities for cyclists and pedestrians in new subdivisions and developing areas would enhance multi-modal transportation options, enhance pedestrian opportunities and health, promote sense of community vital to community character, allow for green infrastructure/pocket parks, and other green areas to be maintained. Streetscape improvements on Saratoga Ave will make area more visually appealing, slow traffic, more pedestrian friendly, with stronger connection to Broad Street, and more visible linkages to the River and trails.

The Plan promotes economic development programs that would enhance economic opportunities while protecting important natural resources.

#### **Goal 4: Preserve, Promote and Enhance Historic and Cultural Assets**

4.1: Develop detailed design guidelines to assist the planning and zoning boards and property owners to make changes that are compatible with the architectural character and scale of historic buildings

4.2: Strengthen the Town's historic preservation laws by incorporating design guidelines, the two existing historic preservation ordinances, and building maintenance provisions into the Town Zoning Ordinance

4.3: Develop and implement a facade improvement program for commercial and residential facades to improve the physical appearance of structures

4.4: Expand and strengthen signage and interpretive programs to make residents and visitors more aware of the wide range of historic resources in Waterford

The above actions for Goal 4 have the following potential generic impacts and have been analyzed using Appendix 1 to determine significance:

**Implementation of Actions to Address these Recommendations Will Protect, Rather than Adversely Impact the Environment Through:** Having design guidelines that will require maintenance of the historic

character of the Town, improve facades to restore or rehabilitate the essential historic fabric that may have been lost due to inappropriate facade changes, and build community support and interest in the historic resources of the Town. These actions, when carried out, will serve to ensure that community character and historic resources are protected, maintained, or improved over time. These actions will ensure that new development and construction due to economic improvement will be consistent with the very values established by the Waterford community.

- Develop design guidelines to ensure building rehabilitation, facade improvements and infill construction is compatible with historic character.
- Reconsider formation of a historic district commission to review construction in the local historic district.
- Establish a facade improvement program when design guidelines are completed. Target Saratoga Ave properties and offer incentives for participation.
- Strengthen interpretation programs including an interpretative scheme for wayfinding signage at specific locations, development of additional maps showing key points of interest, and self-guided walking tours.

### **Goal 5: Stimulate Economic Development by Capitalizing on the Waterfront**

5.1: Improve linkages between the waterfront and commercial or residential areas

5.2: Implement the projects that were identified in the Waterford's 2002 Local Waterfront Revitalization Program (LWRP)

The above actions for Goal 5 have the following potential generic impacts and have been analyzed using Appendix 1 to determine significance:

**Implementation of Actions to Address these Recommendations Will Protect, Rather than Adversely Impact the Environment.** The Plan has been written to recognize the values, goals and actions included in the adopted LWRP for the Town. Implementation of the adopted LWRP will benefit the Town's environment. Waterford has adopted Chapter 159 (Waterfront Revitalization) to specifically address this. More specifically, Chapter 159 legally establishes the purposes of this local law as follows:

The Town hereby declares that the preservation, enhancement and utilization of the natural and man-made resources of the waterfront area of the Town should take place in a coordinated and comprehensive manner to ensure a proper balance between natural resources and the need to accommodate population growth and economic development. Accordingly, this chapter is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing:

- (1) Loss of fish and wildlife;
- (2) Diminution of open space areas or public access to the waterfront;

- (3) Erosion of shoreline;
- (4) Losses due to flooding, erosion and sedimentation, or permanent adverse changes to ecological systems.

Further, Chapter 159 seeks to balance new growth and development while ensuring protection of the waterfront values through a review and permitting process that will ensure new development in the waterfront will be consistent with the following policies:

- (1) Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development;
- (2) Protect water-dependent and water-enhanced uses, promote siting of new water-dependent or water-enhanced uses in suitable locations, and support efficient marina operation;
- (3) Promote the sustainable use of fish and wildlife resources;
- (4) Protect and restore ecological resources, including significant fish and wildlife habitats, wetlands, and rare ecological communities;
- (5) Protect and improve water resources;
- (6) Minimize loss of life, structures, and natural resources from flooding and erosion;
- (7) Protect and improve air quality;
- (8) Promote appropriate use and development of energy and mineral resources;
- (9) Minimize environmental degradation from solid waste and hazardous substances and wastes;
- (10) Improve public access to, and recreational use of, public lands, waters and resources of the waterfront revitalization area;
- (11) Enhance visual quality and protect scenic resources; and
- (12) Preserve historic resources.

Although the Plan establishes a direction for the Town of Waterford that includes use of and development within its waterfront areas, it does so in a manner that when the LWRP is implemented and the corresponding zoning waterfront overlay district is established, will result in development that is consistent with the very environmental values that makes those locations attractive. The purpose of the LWRP program is to allow the municipality to utilize its waterfront assets to benefit the community and quality of life WHILE preserving the environment. Thus, implementation of this action is beneficial to and critical for the waterfront environment in Waterford.

## Goal 6: Proactively Direct Future Development in Town

6.1: Update the Town's Zoning Code to incorporate more modern tools and approaches to guiding growth and development

6.2: Consider adopting Conservation Subdivision Regulations

6.3: Explore new and different ways to promote a broader choice of housing variety and housing options

6.4: Promote future growth and development in areas of Town that support and contribute to the sustainability of the Waterford School District

6.5: Market the Town's housing stock by capitalizing on the historic architecture of the houses and neighborhoods in general to attract new homeowners

The above actions for Goal 6 have the following potential generic impacts and have been analyzed using Appendix 1 to determine significance:

**Potential Indirect Adverse Impacts:** Implementation of Actions to Address these Recommendations May Adversely Affect the Environment through new programs and actions that serve to attract new homeowners. As above, the success of these programs could lead to many of the adverse impacts described in Table 1. to invest in rehabilitation and residential improvement projects. Market housing stock through a Town/Village marketing effort that highlights the assets of the community to new families. Too much development and too many new school-aged children could adversely impact the school district by requiring new facilities and additional staff.

The impacts of re-examining zoning related to existing commercial and industrial districts to determine relevance and proper location could have some potential impacts as would the re-examination of the regulations related to housing types. For instance, if some of the area currently zoned industrial were to become a mixed use or residential use, that creates the opportunity for additional development that could result in impacts as outlined in Table 1, including but not limited to additional demands on public services, additional traffic congestion, changes to community character, loss of green spaces, and increased demand on parks and recreation, increased stormwater runoff, increased energy use, more impervious surfaces, etc.

Providing a wider variety of housing types, with a wider range of cost, in a mixed-use setting, could attract or "capture" some residents who would have otherwise chosen to live outside of the Town of Waterford. This could result in some acceleration of the Town's growth rate. The capture effect of lower housing costs and increased housing and neighborhood variety, and its impact on the Town's growth rate, is difficult to predict. There are no known models for predicting the effects of affordable housing and new mixed-use neighborhoods on community growth. Some of those potential variables are measurable, and others are not.

On the other hand, if the Town also implemented the other strategies outlined in the Plan including the waterfront overlay district, conservation subdivision, and design standards, and traffic calming methods,

then the new residential or commercial development that might arise in the former industrial or manufacturing district will be and consistent with the environmental and community character goals of the community.

**How likely it is that these potential adverse impacts will occur:** It is possible that implementation of these suggested actions could result in adverse impacts. The potential adverse impacts however are mitigated through the Plan because it also recommends use of the conservation subdivision technique which will benefit the environment, protect and maintain historic resources in the Town, and fine tune zoning in a manner which reflects the Plan's established direction to protect the environmental resources in the community.

**How large could the impact be:** A significant increase in residential or commercial development could have moderate impacts that would be localized.

**What is the time frame during which the impact could occur:** It is possible that a significant increase in residential or commercial development could have long-term impacts.

**How significant could the impacts be:** No significant adverse environmental impacts are anticipated from policies and actions related to this goal. No significant adverse environmental impacts are anticipated from policies and actions related to this goal. Because the Plan establishes a desire in the Town to promote development that is consistent with the environment, that is sensitive to promoting the very values that make Waterford a unique location, and that seeks to protect its character and historic resources, future zoning changes to address these actions would need to balance development with the protection the Plan seeks. That is the purpose of planning and in so doing, it is unlikely that large, long-term and severe impacts would result. For other projects, future SEQR procedures would need to evaluate the significance of potential impacts based on the proposal.

**Thresholds and Criteria:** Similar to other goals discussed above, in implementing these actions, the Town of Waterford should ensure that:

- Any waterfront project meets LWRP criteria; NYS DEC SWPPP, streambank, and other permitting requirements;
- Uses erosion and sedimentation control best management practices during construction;
- Identifies if any sensitive habitats for fish and wildlife species exists and construction avoids them;
- Minimizes impervious surfaces;
- The Town evaluates availability and capacity of road, water, sewer and other public services;
- The Planning Board continues to comprehensively review and conduct the required SEQR analysis for development proposals associated with a PDD, subdivision, site plan or special use permit for consistency with local laws. The Board shall especially review and ensure that the project is consistent with the capacity for roads, water and sewer in the Town, that the review includes a traffic impact analysis if the project will introduce more than 100 cars per day, that

the layout and design of the project will be reviewed for consistency with the aesthetic character of the neighborhood and town, that the project includes pedestrian opportunities, that the project preserves the maximum amount of natural vegetation and green space as feasible, and that noise, glare and light pollution and other impacts are eliminated or mitigated.

- When a PDD is proposed, it would be advantageous for the Town Planning Board to take on the Lead Agency role for the SEQR review and require use of the Full Environmental Assessment Form.
- The recommended design standards can promote a sense of place, reinforce the traditional and historical character of Waterford and promote a built environment that will enhance the appeal of the Town. Design standards usually address the following for commercial and multi-family uses which would benefit the Town:
  - Building materials, color and texture.
  - Building height, bulk, and roof line.
  - Building proportions.
  - Openings in the façade: doors, windows, and garage doors, and their location, amount, size and proportions.
  - Type and slope of roof.
  - Wall projections and recesses.
  - Architectural details.
- Any re-evaluation and change of zoning rules would need to be consistent with this Plan. Thus, potential future zoning changes would need to be done with an eye towards environmental protection as that is what the Plan itself calls for. As such, it is possible the following could result from such a re-evaluation:
- Reducing the size of the manufacturing district to allow for more mixed and residential uses. This may reduce the potential impact of large, industrial uses and any associated traffic, noise, pollution, or community character impacts. At the same time, an increase in the number of new residences may have adverse impacts as described in Table 1, above. Those impacts can be mitigated by:
  - Inclusion of design standards for multi-family, commercial and industrial uses to ensure they meet community and environmental standards.
  - Requirement that major subdivisions be designed with a conservation subdivision layout to preserve open space and improve pedestrian links and over larger distances, link the green infrastructure of the Town together.
  - Possible allowance for use of accessory apartments may help senior citizens age in place and efficiently use parcels of land via infill rather than develop green sites.
  - Re-evaluation of multi-family uses could establish a dwelling per acre density that could ensure that density matches the capacity of the parcel and the community.
  - Re-evaluation of design standards for multi-family dwellings may help ensure they are consistent with community character and protection of the environment.

**Potential Positive Impacts:** Implementation of Actions to Address these Recommendations May Positively Affect the Environment through allowing for subdivisions to be designed as a conservation



subdivision that will allow for development while protecting open space, critical environmental features, and promoting traditional neighborhood design consistent with the community character of Waterford. The Plan establishes that the high quality of life in Waterford is highly influenced by the Town's historic features, unique proximity to the Canals and Rivers, and recreational opportunities. It explicitly establishes the need to protect and enhance those features. The Town seeks to provide for new growth and development but in a manner that preserves the essential resources and nature of the Town. Further, the Plan calls for promotion of rehabilitation, reuse, and improvement projects to existing neighborhoods. This would be beneficial by enhancing community character among other resources.

Actions which promote residential and commercial growth in locations within the Waterford-Halfmoon School District would increase the school-aged population whereas currently the school age population is declining. This would allow for full usage of existing facilities in the School District, which has seen a declining enrollment.

### ***B. Irreversible and Irretrievable Commitment of Resources***

Plan adoption will not directly cause a loss of resources. Certain natural resources will be committed to the extent that specific development anticipated by the Plan takes place. Such resources include, but are not limited to: timber, concrete, asphalt, steel and other metals, glass, earth, land, labor, and consumption of fossil fuels in the operation of construction vehicles and equipment. After construction, completed development will require electricity, water, sewage treatment, solid waste disposal, and fossil fuels.

Typical irreversible and irretrievable commitments of resources associated with development include commitment of land and the associated loss of vegetation and wildlife; manpower for construction; building materials such as wood, concrete, asphalt, plastic and glass; energy resources such as gasoline, diesel fuel, and electricity; and water for domestic, business and agricultural use. These resources would be used whether the affected properties are developed as permitted under existing zoning or as recommended in the Plan. Specific solid waste, water, and sewer impacts of a given land use will be evaluated during the development review and SEQR process.

### ***C. Growth Inducing Impacts***

The Town's Plan promotes growth that is consistent with and not adverse to the environment. Some of the Plan recommendations might improve the quality and desirability of Waterford in a way that would induce additional growth in the future. A requirement of a DGEIS is to discuss any potentially growth-inducing effects. This section describes any secondary development which the Plan may support or encourage.

The Town desires to be a quality place that attracts both residential and commercial uses. Indeed, implementation of the recommendations in the Town of Waterford Comprehensive Plan promotes additional growth and development. That in turn may result in an overall increase in Town population and economic activity in the long-term future.

However, the Town's intention by having a Comprehensive Plan's is to protect and preserve the Town's essential community character and environment by shaping the patterns and character of that growth, by encouraging appropriate businesses and by emphasizing environmental protection when growth does occur.

The Plan proposes to take advantage of the Town's waterways and natural resources, but in a manner that protects those essential resources. The Plan does not promote unhindered economic expansion or a population increase that would result in a large increased demand in government services, traffic impacts, or loss of character. Essentially, the Plan's direction is to balance population and economic growth that is in keeping with the Town's character and resources.

The Town of Waterford has a moderate population growth rate. Adoption of the Plan itself will not specifically induce growth. Growth is projected for the Town whether or not the proposed Plan is adopted and its actions implemented. Adoption and implementation of the Plan could, however, and direct or accelerate growth to certain areas. Policies throughout the proposed Plan are intended to accommodate and manage growth, while at the same time offering stronger protection of environmental resources, plant and animal habitat areas, and natural and waterfront areas.

Potential impacts would result both from projects directly encouraged in the Plan and from growth stimulated by those projects. For example, a wider range of housing types than what is currently offered in the Town could appeal to a broader range of future residents. Such neighborhoods and the housing they provide may also attract some residents who would have otherwise chosen to live in more distant communities, which could accelerate the Town's growth rate.

Specific projects proposed in accordance with the proposed Plan and its resulting land use regulations would require their own site - specific SEQR review.

#### ***D. Impacts Regarding the use and conservation of energy resources***

Adoption of the Plan itself will not use energy sources. The proposed Town Comprehensive Plan recommends several concepts that could ultimately result in increased use of energy resources. Further residential, commercial or industrial development in the Town would use energy.

In the future, the Town can implement several policies and programs aimed at reducing impacts of more energy use. These include:

- Encouraging and assisting the retrofitting of existing structures to achieve greater energy efficiency;
- When updating zoning, encourage new structures to achieve higher levels of energy efficiency and promote energy efficiency and use of LEED standards.
- When updating zoning, allow for use of solar and other renewable energy facilities and methods.
- When re-evaluating and updating zoning related to the Town's existing commercial and industrial districts, incorporate energy efficiency and climate smart techniques.
- When implementing the LWRP and other waterfront related projects, incorporate flood management and water level rises into the design.

- When updating existing park and recreational facilities as well as the repair of the boat launch, consider use of LED or other energy efficient lighting.
- Use the conservation subdivision technique to preserve open space. This is consistent with both smart growth principles and the New York Open Space Conservation Plan. This can encourage more compact community design patterns.
- The Town could join the NYS DEC Climate Smart Community program and use their materials to quantify and reduce greenhouse gas emissions and energy demands.

#### ***E. Potential Impacts on Solid Waste Management***

The Town Comprehensive Plan's goals and objectives should have negligible impacts on solid waste management. Although there may be increased population and business growth in the future, this will be controlled via land use regulations that are consistent with the Plan. It is possible however, that implementation of the recommended programs that serve to maintain or enhance the quality of life afforded to residents in the future may make Waterford a more desirable place to live and work. Along with this pressure comes the need to address solid waste. Thus, solid waste production, and the need to deal with it may increase.

Solid waste management is not inadequate or expected to be inadequate in the future. The Town has an established contract with a private garbage hauler and there is adequate regional capacity for solid waste. Any future residential, small business or retail commercial development will be able to be accommodated. Any future manufacturing or light manufacturing may generate some solid waste that will need to be handled apart from the normal trash hauling. Future SEQR reviews for such developments in the manufacturing and industrial districts will need to analyze whether these activities would result in significant impacts based on the quantity or type of waste involved, or related to difficulties in handling those wastes. Where significant impacts are identified, the Planning Board shall require alternative methods of handling and disposal, including waste minimization and re-use. Future SEQR processes should evaluate time frames for both production of waste and the use of various disposal methods, and evaluate secondary impacts due to transport and disposal off-site prior to approval.

#### ***F. Consistency with the Town of Waterford Local Waterfront Revitalization Plan (LWRP)***

Because the Town of Waterford has an approved local waterfront revitalization program, it has an obligation to discuss the relationship of the Comprehensive Plan to the LWRP. The LWRP was approved by both the Town and Village of Waterford (Village of Waterford Board, September 13, 2008, and Town of Waterford Board, September 8, 2009). The document was approved by the NYS Secretary of State on April 20, 2010. By having an LWRP, State agencies must ensure that their activities must be undertaken in a manner consistent, to the maximum extent practicable, with the local LWRP program. Through Chapter 159, the Town has already incorporated into its development review and permitting process the requirement for projects to be consistent with the LWRP.

A major purpose of this Local Waterfront Revitalization Program (LWRP) is to specify how statewide policies will apply to the Town of Waterford. The underlying principal of these policies is that the waterfront, it's historic and natural resource areas are valuable, irreplaceable and limited resources that will be protected and enhanced and appropriately used. It means that priority will be given to new development or uses that rely or capitalize on a waterfront location or otherwise enhance the region's tourism and economic development goals for the canal corridor. It also means ensuring that new development also reflects and maintains the positive and distinguishing characteristics of the surrounding neighborhoods and that opportunities for public access to and enjoyment of the waterfront be provided to the maximum extent feasible.

The Plan recognizes and references the LWRP and includes as one of its primary suggestions that the Town of Waterford implement the LWRP recommendations. In essence, the LWRP is an environmental protection plan targeted to the waterfront area. The polices adopted in the Plan provide significant protections to enhancing the environmental condition in the waterfront. The Plan reinforces the importance of and need for implementation of the strategies in the LWRP and they go hand -in -and with the Comprehensive Plan. For example, the Plan suggests creation of a new waterfront overlay zone that would be coincident to the LWRP boundary.

#### ***G. Cumulative and Unavoidable impacts***

Cumulative impacts can be defined as the effects of one or more actions when combined with the effects of other current, past, and foreseeable future actions. Cumulative impacts include both direct and secondary – not project-specific impacts.

Adoption of the proposed Plan will, in and of itself, not have any direct unavoidable adverse environmental impacts. However, implementation of certain recommendations could have environmental impacts that would require mitigation. Implementation of other Plan recommendations, however, such as policies promoting conservation subdivision, design standards, historic preservation, and a waterfront overlay district would be expected to have beneficial impacts to the environment.

The Comprehensive Plan consists of many recommendations to help realize the consensus vision for the Town's future. Those recommendations seek to address the preservation of the Town's historic character, its waterfront, and natural resources in the Town. For the most part, today's residents affirm through their participation in the Comprehensive Plan process those guiding principles that the Town's residents have expressed for decades. Today's Town residents still want the Town to permit growth and development while protecting the scenic, historic, aesthetic, economic, recreational and environmental qualities of the Town.

The cumulative environmental impact associated with implementation of these various goals is on the whole positive. This overall positive impact derives from the residents' desire to preserve the environment for its intrinsic value as well out of self-interest as a valuable resource the health of which will promote the community's security and lasting character. The Comprehensive Plan explicitly recommends actions to promote protection of the Town's open space, historical, cultural, and other environmental resources.

Potential future development of land would likely result in unavoidable impacts typical of any development, such as: construction-related impacts, construction vehicle traffic, localized air quality impacts related to construction vehicle emissions and increased fugitive dust levels from construction activity, and increased noise levels near construction sites due to vehicles and machinery, vegetation clearing, soil disturbance, increase in impervious surface, alteration of drainage flow, increased demand for community services, increase in solid waste generation, water use and sewage generation; changes in existing views; and an increase in traffic and potential related air quality impacts. These changes would occur under any zoning designation, whether currently permitted or as recommended in the Plan.

There may be adverse environmental impacts associated with individual projects that cannot be avoided. For example, to varying degrees, each new development proposal will result in consumption of resources, land disturbance, increased demand on the Town's water supplies, add cars to the roads, and increase use of recreational facilities. Where outdoor recreation increases there may be impacts such as littering, noise, or increased traffic. However, the Town's deliberation over each proposal with the guidance that the Comprehensive Plan affords

will result in a decision that minimizes those impacts to the maximum extent practicable. Enhancement and maintenance of the Town's historical and cultural resources will contribute to the appreciation of the Town's past and how that past has influenced the Town's present.

The draft Town Comprehensive Plan, together with the LWRP, recommends a more explicitly protective environmental protection regime that reduces overall cumulative impacts; and compared with unregulated development, the cumulative environmental impacts associated with implementation of the draft Town Comprehensive Plan are much lower.

Any proposed development discussed in this narrative will be subject to its own environmental review under SEQRA when it is proposed. Through the SEQR process, potential impacts would be mitigated to the maximum extent practicable. While those potential impacts have been described conceptually, this GEIS is not intended to substitute for a site-specific environmental review that will still be required on a case-by-case basis when a development is proposed.

## ***H. Alternatives***

Pursuant to SEQR, the impacts between reasonable alternatives must be analyzed. This DGEIS considers the following:

### **1. Not Adopting the Comprehensive Plan.**

Not adopting the Comprehensive Plan would inhibit the Town from promoting park and recreation facilities, improving streetscapes and historic buildings, having updated zoning that steers appropriate growth to the Town, attracting new homeowners and businesses, and having more pedestrian opportunities. Not adopting the Plan could result in continuing economic distress, further deterioration of historic buildings, loss of tax base and fiscal resources, inappropriate development allowed through an outdated zoning law, continued underutilization of trails and recreational facilities, deteriorating streetscapes, loss of historic resources, and low population growth that adversely impacts the healthy continuation of the Waterford School District.

No action would result in the Town proceeding without the benefit of a set of objectives articulated directly by the Town's residents. There would be no public document linking successive Town Boards together to attain common objectives through the years. This could result in not only inconsistent decisions being made, but also could result in decisions being made that don't match the long-term interests of the Town.

Having a plan allows elected officials to act on a broader agenda than any one person may have. The proposed Town Comprehensive Plan reflects the goals and objectives of the community as a whole. For these reasons, selection of the "no action" alternative would be an inappropriate and unacceptable course of action to pursue.

The Plan directs the Town to take actions that will allow for sensitive growth that is consistent with the environment in Waterford. The very essence of the Comprehensive Plan is one that builds on community strengths while enhancing recreational resources, the waterfront, and protecting the Town's community environment and character.

The Town's residents are mindful of the reality (also articulated in State policy<sup>3</sup>) that environmental quality is fundamental to their quality of life. Accordingly, the goals and recommendations included in the proposed Town Comprehensive Plan are intended to conserve, improve, and protect the Town's natural and cultural resources and environment, and to enhance the health, safety and welfare of the Town's residents and their overall economic and social well-being.

The selected goals and objectives are designed to foster conditions under which the Town's residents and the natural environment in which they live can thrive in harmony with each other, and achieve social, economic and technological progress. The proposed Comprehensive Plan does this by promoting healthful and aesthetically pleasing surroundings; encouraging a wide range of beneficial uses that could be carried out in without damaging the environment and without risking health, safety, unnecessary degradation, or other undesirable or unintended consequences of land use.

## **2. Adoption of a Portion of the Plan Alternative.**

The proposed Comprehensive Plan was developed and designed to be a holistic view of the Town of Waterford, its policies, opportunities and challenges. To adopt only a portion of the Plan would omit other linked components of the Plan and would thus not encompass all those issues deemed important by the Town. Specific strategies will be implemented only as conditions allow. As such, this alternative is neither desirable nor appropriate.

## **3. Adoption of a Different Plan Alternative.**

The proposed Comprehensive Plan was developed and proposed as being the Plan that best reflects the Town as a whole. Therefore, the adoption of a different Plan is neither an appropriate alternative nor realistic since this Plan is based upon the input and contributions of residents and landowners of Waterford.

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<sup>3</sup> ECL 1-0101.1; General Municipal Law §852.



## Appendix 1. Determining Significance of Impacts

This GEIS identifies and analyzes potential significant environmental impacts resulting from implementing these strategies. This section discusses the potential significance of these impacts. The importance or “significance” of each of these on the environment depends on several factors. This GEIS offers an analysis on whether an action would have significant adverse impacts that would require mitigation measures.

To aid in this analysis, the Town of Waterford used the following as guidance:

### Understanding the Context and Intensity of a Potential Impact

The following factors influence whether an environmental impact is significant:

- o Magnitude (how much)
- o Duration or frequency of the impact (how long or how often)
- o Extent of the impact (how far or how much land is affected)
- o Likelihood of the impact occurring (probability)

### What is a Significant Impact?

The table and matrix below will help the Town of Waterford determine whether an adverse impact could have a significant impact.

Level of Potential Negative Impact				Impact Rating
Magnitud	Duration	Extent	Likelihood	
Major	Any Level	Large or Medium	Probable	<b>Large Negative Impact</b>
Major	Long-term	Large or Medium	Possible	
Major	Medium-term, intermittent or short-term	Any Level	Probable	
Major	Medium-term, intermittent or short-term	Any Level	Possible	
Major	Any Level	Small	Probable	
Major	Long-Term	Small	Probable	
Major	Any Level	Large	Unlikely	
Major	Long-Term	Medium or Small	Unlikely	
Major	Medium-term, intermittent or short term	Medium or Small	Unlikely	
Moderate	Any Level	Large or Medium	Probable	<b>Moderate Negative Impact</b>
Moderate	Any Level	Large	Possible	
Moderate	Any Level	Medium or Small	Possible	
Moderate	Any Level	Large	Unlikely	
Minor	Any Level	Large	Probable	

Level of Potential Negative Impact				Impact Rating
Magnitud	Duration	Extent	Likelihood	
Minor	Long-Term	Medium or Small	Probable	
Minor	Medium-term or intermittent	Medium	Probable	
Minor	Long-term	Large	Possible	
Moderate to Minor	Any Level	Any Level	Unlikely	
Minor	Medium, Short or Intermittent	Large	Possible	<b>Minor Negative Impact</b>
Minor	Short-Term	Medium	Probable	
Minor	Medium-term, intermittent or short term	Small	Probable	
Minor	Long-Term	Medium or Small	Possible	
Minor	Medium-term, intermittent or short term	Medium or Small	Possible	
These actions directly or indirectly impact the environment in a beneficial manner and may have variable duration (long or short time frames), vary in				Beneficial Impact
Actions that are essentially administrative in action and that have no or negligible direct or indirect impact on the environment (examples include				Benign Impact

## Appendix 2. Proposed Waterfront Overlay for the Town from the Local Waterfront Revitalization Plan

The following outlines the recommended Waterfront Overlay included in the adopted Local Waterfront Revitalization Plan. It is included in this DGEIS for reference as it is specifically recommended to be implemented in the Comprehensive Plan. It is also included in this DGEIS to illustrate the development standards associated with this overlay and to detail the environmental protections included in them.

## Appendix B

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### Town & Village of Waterford Local Waterfront Revitalization Program

#### Town of Waterford Waterfront Overlay (WO) District

A. Purpose and intent.

The Town intends to protect the scenic corridors along the Erie and Champlain Canal Systems and Hudson and Mohawk Rivers, in accordance with the Local Waterfront Revitalization Program (LWRP), the Town and Village of Waterford Comprehensive Plan as well as regional and State Canal and River plans and goals. The purpose of the district is to maintain the undeveloped areas of the waterfronts and to provide a consistent level of protection of the visual, environmental and historic resources within the LWRP boundaries.

The Waterfront Overlay (WO) District has been overlaid onto existing zoning districts. All provisions of the underlying districts remain in full force, except where provisions of the WO District differ. In such cases, the more restrictive provision shall apply. The principal control mechanisms of the WO are construction setbacks from the waterline, restriction on the removal of natural vegetation within an established buffer zone adjacent to the waterline, restrictions on the removal of natural vegetation with an established buffer zone adjacent to the water, and performance standards governing land use activities within the District.

The specific purposes of this district include the following:

- (1) To preserve the existing community character and land use pattern;
- (2) To capitalize on opportunities to provide additional public access to the Hudson and Mohawk Rivers and Erie and Champlain Canal Systems;
- (3) To pursue funding sources for recreational improvements;
- (4) To maintain and improve the angling potential and water quality of the Hudson and Mohawk Rivers;
- (5) To minimize potentially adverse land uses, environmental and economic impacts that would result from proposed development; and,
- (6) To protect stable residential areas.

B. Boundary of the Overlay Zone.

The Waterfront Overlay Zone shall be the boundaries of the Local Waterfront Revitalization Program. The Map entitled "[LWRP Boundary](#)" within the LWRP illustrates the boundary of the LWRP.

C. Permitted uses

The underlying zoning district determines the permitted uses, accessory uses and special permit uses with the Waterfront Overlay District. Underlying districts within the WO include R-75, R-100, C-1, C-2, Industrial, Manufacturing, and Land Conservation.

D. Development regulations.

- (1) Setback requirements.

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### **Town & Village of Waterford Local Waterfront Revitalization Program**

- (a) The minimum setback from the high watermark of the Erie and Champlain Canal shall be seventy-five (75) feet for principal and accessory buildings.
  - (b) The minimum setback from the high watermark of the Mohawk and Hudson Rivers shall be one hundred (100) feet for principal and accessory buildings.
  - (c) Structures demonstrated to be directly related to Canal and River business/use may be authorized within the required setback distance; in granting such authorizations, the Planning Board shall minimize any adverse impacts by imposing reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property.
- (2) Additional requirements and standards.
- (a) Fences, parking and signs shall not detract from water views and are subject to regulations contained in sub-sections 161-29, 161-30, and 161-31, respectively.
  - (b) Development shall not interfere with or in any way prohibit, hinder or discourage the public use of trails along the Canals and Rivers. Opportunities for trail links between recreational trails and proposed pedestrian walkways in new developments should be established.
- (3) Site Plan Review
- (a) Any proposed principal building or any proposed or expanded paved area of greater than five thousand (5,000) square feet that would be partially or entirely located within the boundaries of the Waterfront Overlay shall be submitted for review by the Planning Board.
  - (b) The Planning Board shall review such use to determine compliance with municipal ordinances and to determine the compatibility with the Local Waterfront Revitalization Program and the Comprehensive Plan.
  - (c) The following development guidelines shall be considered for all proposed development within the Waterfront Overlay District requiring Planning Board review.
    - 1. All new development shall be integrated into the existing landscape so as to minimize its visual impact and maintain the natural beauty and environmentally sensitive shoreline areas through erosion control and the use of vegetative and structural screening, landscaping and grading.
    - 2. All development shall have a pedestrian scale, e.g., street-side and waterfront building facades shall be oriented to pedestrian passersby.

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### **Town & Village of Waterford Local Waterfront Revitalization Program**

3. Ground floors of buildings for commercial use shall be encouraged for such active uses as restaurants, retail and indoor recreation, especially when adjacent to public spaces.
4. Density pattern of new development shall complement current adjacent development and the unique historic environment.
5. Length of proposed contiguous structures shall be planned so as to establish and protect view corridors to the waterfront.
6. Coverage and building height requirements may be modified in specific instances so long as the overall development is consistent with goals and other design standards.
7. Development of new buildings should preserve the character of existing streets and buildings.
8. Architecture and design of buildings, structures and spaces shall be in keeping with the height, scale, density and character of adjoining neighborhoods. Street networks shall be continuous, pedestrian friendly and facilitate public gathering spaces.
9. The overall façade shall have a simple and complementary pattern to neighboring or typical buildings and shall be kept consistent across the building front, but may show deviation at important points to highlight the center of the building or the entry way(s) to the building.
10. Facades shall be designed as to appear inviting from both the street side and the waterfront side of the building without creating a “back door” appearance to either side.

## Appendix B

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# Town & Village of Waterford Local Waterfront Revitalization Program

## Village of Waterford Waterfront Overlay (WO) District

### A. Purpose and intent.

The Village intends to protect the scenic corridors along the Erie and Champlain Canal Systems and Hudson and Mohawk Rivers, in accordance with the Local Waterfront Revitalization Program (LWRP), the Town and Village of Waterford Comprehensive Plan as well as regional and State Canal and River plans and goals. The purpose of the district is to maintain the undeveloped areas of the waterfronts and to provide a consistent level of protection of the visual, environmental and historic resources within the LWRP boundaries.

The Waterfront Overlay (WO) District has been overlaid onto existing zoning districts. All provisions of the underlying districts remain in full force, except where provisions of the WO District differ. In such cases, the more restrictive regulations provision shall apply. The principal control mechanisms of the WO are construction setbacks from the waterline, restriction on the removal of natural vegetation within an established buffer zone adjacent to the waterline, restrictions on the removal of natural vegetation with an established buffer zone adjacent to the water, and performance standards governing land use activities within the District.

The specific purposes of this district include the following:

- (1) To preserve the existing community character and land use pattern;
- (2) To capitalize on opportunities to provide additional public access to the Hudson and Mohawk Rivers and Erie and Champlain Canal Systems;
- (3) To pursue funding sources for recreational improvements;
- (4) To maintain and improve the angling potential and water quality of the Hudson and Mohawk Rivers;
- (5) To minimize potentially adverse land uses, environmental and economic impacts that would result from proposed development; and,
- (6) To protect stable residential areas.

### B. Boundary of the Overlay Zone

The Waterfront Overlay Zone shall be the boundaries of the Local Waterfront Revitalization Program. The Map entitled "[LWRP Boundary](#)" within the LWRP illustrates the boundary of the LWRP.

### C. Permitted uses

The underlying zoning district determines the permitted uses, accessory uses and special permit uses within the Waterfront Overlay District. Underlying districts within the WO include Residence District, Residence S District, Residence M, Senior Citizen Housing, and Commercial District.

### D. Development regulations.

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### **Town & Village of Waterford Local Waterfront Revitalization Program**

- (1) Setback requirements.
  - (a) The minimum setback from the Erie and Champlain Canal wall shall be twenty-five (25) feet or the average set back of adjacent waterfront principal and accessory buildings within one hundred and fifty (150) feet of proposed development, whichever is greater.
  - (b) The minimum setback from the high watermark of the Mohawk and Hudson Rivers shall be twenty-five (25) feet or the average set back of other waterfront principle and accessory buildings within one hundred and fifty (150) feet, whichever is greater.
  - (c) Water dependent or water enhanced uses demonstrated to be directly related to Canal and River business/use may be authorized within the required setback distance; in granting such authorizations, the Planning Board shall minimize any adverse impacts by imposing reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property.
- (2) Additional requirements and standards.
  - (a) Fences, parking and signs shall not detract form water views and are subject to regulations contained in sub-sections 205-25, 205-26, and 205-27, respectively.
  - (b) Development shall not interfere with or in any way prohibit, hinder or discourage the public use of trails along the Canals and Rivers. Opportunities for trail links between recreational trails and proposed pedestrian walkways in new developments shall be established to the maximum extent practicable.
- (3) Site Plan Review
  - (a) Any proposed principal building or any proposed or expanded paved area of greater than five thousand (5,000) square feet that would be partially or entirely located with the boundaries of the Waterfront Overlay shall be submitted for review by the Planning Board.
  - (b) The Planning Board shall review such use to determine compliance with municipal laws and to determine the compatibility with the Local Waterfront Revitalization Program and the Comprehensive Plan.
  - (c) The following development guidelines shall be considered for all proposed development within the Waterfront Overlay District requiring Planning Board review.
    1. All new development shall be integrated into the existing landscape so as to minimize its visual impact and maintain the natural beauty and environmentally sensitive shoreline areas through erosion control and the



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### Town & Village of Waterford Local Waterfront Revitalization Program

- use of vegetative and structural screening, landscaping and grading.
2. Ground floors of buildings for commercial use shall be encouraged for such active uses as restaurants, retail and indoor recreation, especially when adjacent to public spaces.
  3. Density pattern of new development shall complement current adjacent development and the unique historic environment.
  4. Length of proposed contiguous structures shall be planned so as to establish and protect view corridors to the waterfront.
  5. Coverage and building height requirements may be modified in specific instances so long as the overall development is consistent with goals and other design standards.
  6. Development of new buildings should preserve the character of existing streets and buildings.
  7. Architecture and design of buildings, structures and spaces shall be in keeping with the height, scale, density and character of adjoining neighborhoods. Street networks shall be continuous, pedestrian friendly and facilitate public gathering spaces.
  8. The overall façade shall have a simple and complementary pattern to neighboring or typical buildings and shall be kept consistent across the building front, but may show deviation at important points to highlight the center of the building or the entry way(s) to the building.
  9. Facades shall be designed as to appear inviting from both the street side and the waterfront side of the building without creating a “back door” appearance to either side.