**LWRP Consistency Review Checklist – Momentive Siloxane Structure**

\_\_X\_\_\_1. Review LWRP Boundary Map.

\_\_\_\_\_2. If project is within the LWRP Boundary, applicant fills out Waterfront Consistency Form (WAF), (Obtain from Town Clerk).

\_\_\_\_\_3. Waterfront Consistency Form filled out and attached to application.

\_\_X\_\_\_4. If any questions answered “Yes”, applicant identifies policy numbers from State and Local LWRP plans that are affected by the project, assesses effect of project on each policy to be affected, and states how project is consistent with each policy as per Section D of WAF form.

\_\_NA\_\_\_5. Applicant completes Section E and F of Waterfront Consistency Form, and sends to NY State if required for their review. Applicant should check with NYS DOS to confirm it is required to do State or Federal Consistency Review. (Note: If a project requires a permit or other regulatory approval from a federal agency, or involves federal financial assistance, a consistency review by the Department of State will likely be required. This includes Army Corps of Engineers Nationwide Permit. Some nationwide permits may not need review however. A consistency certification and determination from the Department of State is needed prior to receiving a federal permit. A copy of all federal application materials should be submitted to the Department of State at the same time they are sent to the federal permitting agency. The applicant certifies to the federal agency and the Department of State that the project complies and is consistent with the New York State Coastal Management Program. No federal agency can issue a permit for a project affecting New York’s coastal area until the Department concurs with the consistency certification. By federal regulation, the Department of State has six months to complete its review of a consistency certification and make a decision. If the Department has not made its decision within three months of the receipt of necessary information and start of the review, it must notify an applicant of the status of its review. Typically, most consistency reviews can be completed within one or two months.)

\_\_X\_\_\_6. Planning Board reviews project for consistency of project with Chapter 159 of Waterford Code, and makes written determination that the project is consistent with Waterford LWRP policies:

\_X\_\_(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 sitting 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;

\_X\_\_(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.

\_\_\_X\_\_7. Develop and adopt resolution indicating project is consistent with local LWRP policies, how project is mitigated to be consistent, or how project is not consistent.