

# City of Plattsburgh Local Waterfront Revitalization Program

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### Key Definitions

**Underutilized:** *In terms of waterfront and downtown revitalization, property is not used to its full potential. This should be considered in any long-term plans for the future.*

**Water-Dependent Uses:** *Uses which can only be conducted on, in, over, or adjacent to the water because such activity requires direct access to that water body and involves as an integral part of such activity, the use of the water.*

**Water-Related or Water-Enhanced Uses:** *A use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users is increased significantly when it is adjacent or has visual access to the waterfront.*

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## Introduction

The City of Plattsburgh's Local Waterfront Revitalization Program (LWRP) has been prepared with four goals foremost in mind:

- Increasing public awareness of, and accessibility to, the Lake Champlain and Saranac River waterfronts;
- Capitalizing on the economic development/downtown revitalization potential of waterfront redevelopment;
- Addressing ways to accommodate increasing public demand for recreational resources; and
- Crafting a reasonable plan for protecting and enhancing the city's waterfront, cultural and natural resources.

Like many of its neighbors in the northeastern United States, the City of Plattsburgh is a regional urban center which has struggled to balance its numerous assets with the forces of change in the twentieth century. Its once thriving downtown, and resort- and industry-based waterfront, endured a long period of decline, which has recently begun to be reversed. Over the past several decades, the viability and cohesion of the city's downtown has been seriously eroded by the construction of I-87 and numerous outlying strip shopping centers, including Plattsburgh Plaza, Ames Plaza, Pyramid Malls, North Country Plaza, and Skyway Shopping Center. While I-87 linked Plattsburgh to the U.S. Interstate system, vastly improved its accessibility to the American and Canadian markets, and made it a much more attractive place to do business, it has also made it easier for potential visitors to bypass the city altogether, has spurred development at the western edge of the city and continues to draw people away from the downtown.

In an effort to counter deterioration of the central business district and its neighboring older commercial and residential areas, the city has made successful use of numerous federal and state funding programs for community planning, housing rehabilitation and commercial revitalization, such as the U.S. Department of Housing and Urban Renewal's Community Development Block Grant (CDBG) programs and New York State programs such as Economic Development Zone designation, RESTORE, AHC and Rental Rehab programs. Revolving loan funds have also been established for the rehabilitation of downtown commercial buildings.

Since the late 1980s, the City has also undertaken a number of publicly-funded programs to improve waterfront and public park areas. Riverwalk Park, including a picnic area and pedestrian bridge, was developed on the south bank of the Saranac River, providing views of the McDonough Monument and

City Hall. In addition, a handicapped-accessible fishing dock was created at the McDonough Monument, landscaping improvements and walkway paving were completed with substantial volunteer assistance at the Champlain Monument (opposite Riverwalk Park), the City Beach received major improvements and Heritage Park, complete with lengthy boardwalk, biking trail, and picnic pavilion, was created with Environmental Quality Bond Act funding. Walking trails, linking the city's various historic landmarks and natural resources, have also been established.<sup>1</sup> These activities are all part of the city's larger vision of creating a system of walking trails and publicly-accessible areas along Lake Champlain and the Saranac River, which will be addressed in the development of this Local Waterfront Revitalization Program.

The City has also made great strides in terms of downtown revitalization, through the successful development of commercial facade improvement programs, infrastructure improvements, traffic pattern realignment, creation of additional parking facilities and aggressive programs to attract people and business to the downtown. In recognition of its efforts to improve, the City received a Main Street Revitalization Award from the Preservation League of New York State for its facade improvement and downtown revitalization efforts. In 1994, Mayor Clyde Rabideau created the Downtown Future Planning Commission which prepared a downtown development plan. In a lengthy, action-oriented, goal-setting process, the Commission established the following mission statement:

*"Our vision for Downtown Plattsburgh is that of an economically viable, safe, accessible, clean, energizing and culturally rich environment, which provides a pleasant and stimulating atmosphere for residents and visitors to live, work, shop, dine and enjoy fine entertainment."*<sup>2</sup>

The Commission generated four goals for downtown Plattsburgh, which include improving the city's appearance and atmosphere; easing movement of motorists and pedestrians; preserving, enhancing and capitalizing on historic and natural resources; and providing a capacity and environment that will stimulate economic development. Additional committees, such as the Point Historic District Committee<sup>3</sup> and the Local Waterfront Revitalization Waterfront Advisory Committee have also been established under the auspices of the Mayor and/or the City's Community Development Office.

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<sup>1</sup> For example, see "Heritage Trail - City of Plattsburgh Walking Tour of Historical and Natural Attractions" (three-fold brochure in English and French); "Discover Historic Plattsburgh;" and "Historical Sites at Plattsburgh Air Force Base."

<sup>2</sup> See Downtown Future Planning Commission, "Phase I Report - Central Business District," June, 1995, p. 4.

<sup>3</sup> See Point Historic District Committee's draft report and related public comments dated June, 1996.

## **The Local Waterfront Revitalization Program**

The New York State Department of State Division of Coastal Resources Local Waterfront Revitalization Program (LWRP) is a comprehensive program that refines legislatively established waterfront policies by incorporating local circumstances and objectives. Legislative authorization for the NYS LWRP is New York State Executive Law, Article 42, "Waterfront Revitalization of Coastal Areas and Inland Waterways" (adapted from Chapter 842 of the Laws of 1981 and Chapter 366 of the Laws of 1986). These laws articulate the State's policy regarding its coastal areas and inland waterways, and are designed to encourage the following goals:

1. To achieve a balance between economic development and preservation that will permit the beneficial use of coastal and inland waterway resources while preventing the loss of living marine resources and wildlife, diminution of open space areas or public access to the waterfront, shoreline erosion, impairment of scenic beauty, or permanent adverse changes to ecological systems.
2. To encourage the development and use of existing ports and small harbors including use and maintenance of viable existing infrastructures, and to reinforce their role as valuable components within the state's transportation and industrial network.
3. To conserve, protect and where appropriate promote commercial and recreational use of fish and wildlife resources and to conserve and protect fish and wildlife habitats identified by the department of environmental conservation as critical to the maintenance or re-establishment of species of fish or wildlife. Such protection shall include mitigation of the potential impact from adjacent land use or development.
4. To encourage and facilitate public access for recreational purposes.
5. To minimize damage to natural resources and property from flooding and erosion, including proper location of new land development, protection of beaches, dunes, barrier islands, bluffs and other critical coastal and inland waterway features and use of non-structural measures, whenever possible.
6. To encourage the restoration and revitalization of natural and man-made resources.
7. To encourage the location of land development in areas where infrastructure and public services are adequate.
8. To conserve and protect agriculture lands as valued natural and ecological resources which provide for open spaces, clean air sheds and aesthetic value as well as for agricultural use.
9. To assure consistency of state actions and, where appropriate, federal actions, with policies within the coastal area and inland waterways, and with accepted waterfront revitalization programs within the area defined by such programs.

10. To cooperate and coordinate with other states, the federal government and Canada to attain a consistent policy towards coastal and inland waterway management.
11. To encourage and assist local governments in the coastal area and inland waterways to use all their powers that can be applied to achieve these objectives.

The LWRP is a voluntary, grass-roots effort which brings together local and State governments, commerce and industry, environmental interests, private organizations, and community citizens to assess current opportunities and constraints and to build a consensus on the desired future of the community's waterfront. More importantly, the LWRP provides a strategy for achieving that vision and for managing local resources. Decision makers will then be able to respond with increased knowledge and purpose to future events affecting their waterfront area and to actively pursue an agreed upon program.

One of the components of such programs is the identification of long-term uses along the waterfront, including surface water and underwater uses, and specific projects for implementation. These uses and projects, in conjunction with an established management program, can significantly increase a community's ability to attract development activities that will take best advantage of the unique cultural and natural characteristics of their waterfront. The LWRP also serves to enhance the conservation and protection of valuable natural resources. As such, the LWRP represents a balance between economic development and environmental protection that permits the beneficial use of waterfront resources, while preventing the loss of valuable resources and public access opportunities to the waterfront. Once the LWRP is approved by the NYS Secretary of State, the community has the local controls in place to guide waterfront development and--a distinct benefit of a LWRP--the legal ability to ensure that all State actions proposed for their waterfront only occur in the fashion prescribed in the LWRP. This "consistency" provision is a strong tool that assures that State and local governments work in unison, and not at cross purposes, to build a stronger economy and a healthier waterfront environment.

The City's decision to develop a LWRP was concurrent with the completion of an Economic Development Zone (EDZ) Business/Employees Housing Study, a feasibility study of the City Harbor, and the ongoing efforts of the Lake Champlain Basin Program, a heritage- and natural resource-based regional planning and development initiative involving public/private partnerships with the states of New York, Vermont and the province of Quebec. The City's decision also reflects the need to manage growth as more and more people seek to enjoy the North Country as well as the need to accommodate steadily increasing boat and other recreational traffic. Through this NYS program, the City seeks to use waterfront revitalization strategies as a means of maximizing its resources.

### **Harbor Management Plan**

Harbor Management Plan (HMP), which addresses conflict, congestion, and competition for space in the use of a community's surface waters and underwater land, is a required element for the approval of a

LWRP. Plattsburgh's Harbor Management Plan considers many uses of the waterfront area. These are discussed in Sections III, IV and V of the LWRP. A specific list of the elements required in a Harbor Management Plan, and where they are located in the text, is as follows:

Harbor Management Plan Element	Location
The HMP boundary area	Section I , Map 1
A complete inventory and analysis of existing uses in the HMP	Section II
An identification and analysis of issues of local importance	Section II-B., C., E., F.4., I., J., and K.
An identification of the utilization of public underwater lands and navigable waters	Section II-B
A discussion of water dependent uses	Section II-C.
An identification and analysis of issues of regional importance	Section II-B and Section IV-B.
A discussion of opportunities, long and short-term goals and objectives for the HMP	Section III: policies 2, 3, 4, 6 and 10.
The identification and discussion of economic, cultural and social considerations regarding underwater lands and navigable waters	Section III: policies 2.1 and 4.
A specification of policies concerning the management of underwater lands and navigable waters	Section III: policies 2.1 and 4.
A proposed water use plan	Section IV-B.
Identification of capital projects necessary to implement the HMP	Section IV.
Specification of existing and proposed techniques to implement the HMP	Section V.
Other applicable needs to describe the HMP	Throughout the LWRP document.

## Section I. Waterfront Boundary

The City of Plattsburgh's Waterfront Revitalization Area (WRA) includes the Lake Champlain waterfront and that portion of the Saranac River that lies between Lake Champlain and the fourth vehicular bridge (South Catherine Street), as well as some lands to the north and south of the River. The boundaries encompass the Municipal Beach, Bay Marina, Point Historic District, the City's Central Business District, and the waterfront area of the former Plattsburgh Air Force Base (see Map 1). The specific boundaries of the WRA are as follows:

Beginning at the intersection of the City Line and NYS Route 314, then west on NYS Route 314 to its intersection with NYS Route 9 ( N Margaret Street), then southwest along NYS Route 9 to its intersection with Saily Avenue; then south along Saily Avenue to its intersection with Cumberland Avenue; then west on Cumberland Avenue to its intersection with City Hall Place; then west on Cornelia Street to its intersection with Margaret Street; then south on Margaret Street to its intersection with Bridge Street; then one block east on bridge Street to its intersection with Durkee Street; then south along Durkee Street to its intersection with Broad Street; then west along Broad Street to its intersection with Pine



Street; then following Pine Street along the meanders of the Saranac River to its intersection with South Catherine Street; then south on South Catherine Street across the fourth bridge to its intersection with South Platt Street; the south and east on S. Platt Street to its intersection with NYS Route 9 (US Avenue); then south along Route 9 to the southern city line, then following the city line east to the waters of Lake Champlain, then northerly following the city's eastern line to the northernmost boundaries of the Municipal Beach, to the point of beginning. Map 1, "Waterfront Revitalization Area Boundary Map," depicts both the LWRP boundary and the Harbor Management boundary.

Map 1 - Waterfront Revitalization Area Boundary

The Waterfront Revitalization Area has been divided into four subareas: Subarea 1 or the North End Subarea, Subarea 2 or the Cumberland Avenue/Wilcox Dock Subarea, Subarea 3 or the Marina Subarea (including a portion of the Saranac River); and Subarea 4 or the Old Base Subarea (see Map 2). This area has been delineated to include as many of the City's assets and potential assets as possible, with the expectation that, through the LWRP and related programs, these assets can be linked together and mutually enhanced.

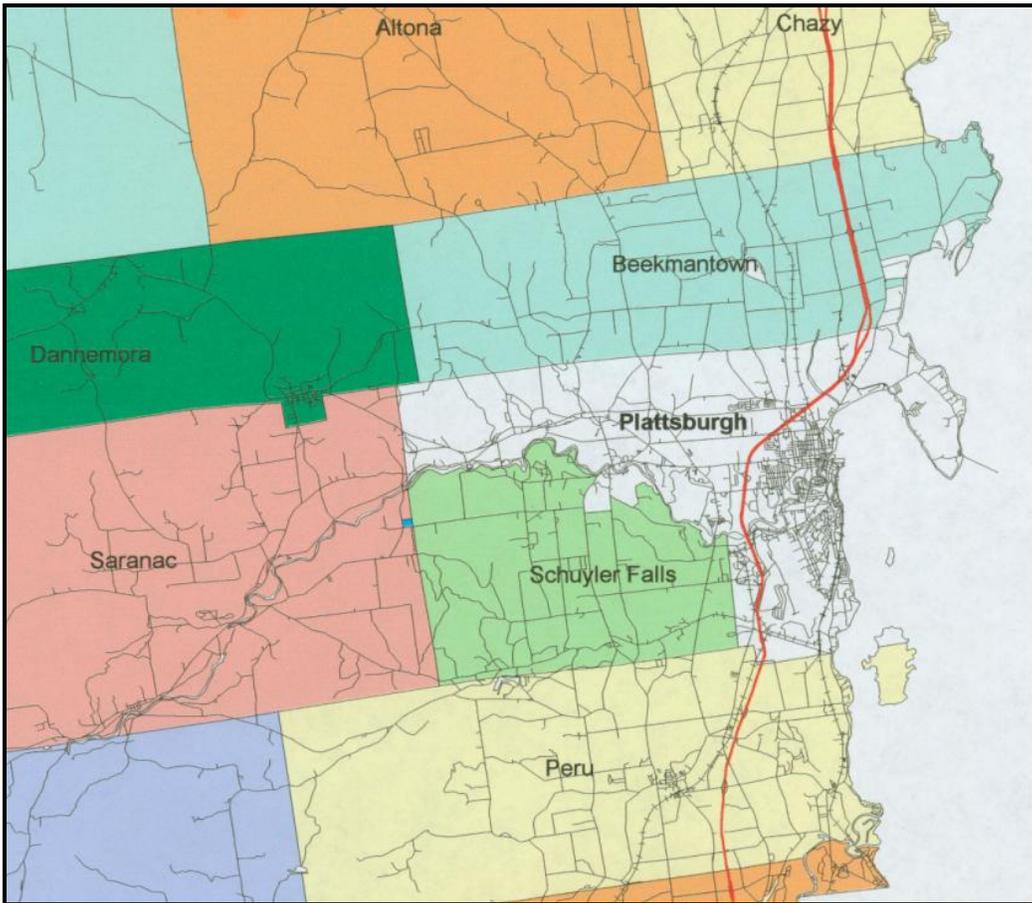
Map 2 - LWRP Subareas Boundaries



## Section II. Inventory & Analysis

This section is designed to provide an informational base for determining applicable State and Local inland coastal policies in Section 3, and designating appropriate land and water uses and necessary projects in Section 4. This section provides brief descriptions of the coastal resources, existing land and water uses and important economic activities of the City of Plattsburgh waterfront area. It is not meant to be a definitive source of information and relies on existing state, local and regional documents. Map 3 shows the Plattsburgh region.

Map 3 - Plattsburgh Regional Setting



## **A. Regional Settings and Community Characteristics**

### **History**

The City of Plattsburgh is located in Clinton County at the confluence of the Saranac River and Lake Champlain in the Adirondack region of New York State. This region is known locally as the "North Country." The city encompasses an area of approximately 5.33 square miles and has a population of 18,816 according to the 2000 Census. Plattsburgh is located approximately 160 miles north of Albany and 65 miles south of Montreal (only 25 miles south of the Canadian border). Located on the western coast of the "Broad Lake" section of Lake Champlain, the City is an easy drive from the Adirondack Mountains and Vermont, making it an ideal destination for tourist travel. Other popular and convenient destinations include Ausable Chasm, New York (20 minutes), Burlington, Vermont (1 hour), Lake Placid, New York (1 hour), Ottawa, Ontario (3.5 hours), and Quebec City, Quebec (3.5 hours).

The history of Plattsburgh is closely tied to the regional history of eastern New York State as well as the history of the nation. Within the Lake Champlain Basin, remains of paleohumans dating as far back as 8,000 years have been unearthed. In general, the Lake held great significance to native populations and the region has been inhabited for approximately 2,500 years. Algonquin people, later centered in Canada, lived here first and the area was visited frequently by Mohawk Iroquois. The Mohawk dominated the region by the 1600s and vied with the Algonquin for access to French traders. The French were the first Caucasians in the region (Samuel de Champlain in 1609), followed by the British. When the Dutch traders appeared in Mohawk territory from the south, competition with the Algonquin diminished as Dutch replaced French trade goods. The Mohawk controlled the flow of Dutch manufactured wampum and other goods, making it necessary for continued struggling to dominate the Lake Champlain and St. Lawrence basins. By 1622, the Mohawk had agreed to a truce with the Algonquin and finalized a peace treaty in 1624. Native populations were subsequently decimated by a smallpox epidemic in 1634; for example, Mohawk populations declined from about 7,700 in 1630 to less than 700 by 1770.

Following the defeat of the French during the French and Indian wars, the first known settler in the Plattsburgh area was Count Charles de Fredenburg, who first traveled to the region during his service in the British army under Governor Moore and General Carleton. After receiving a grant of 30,000 acres in 1768, Fredenburg built a home at the mouth of the Saranac River (south side) and established a sawmill three miles upriver at the point now called Fredenburg Falls. Fredenburg, a loyalist, removed to Montreal during the Revolutionary War. During 1776, the area figured in the naval battle fought near Valcour Island. In 1784, Zephaniah Platt and 31 others pooled military "Class Rights" in order to purchase the land formerly owned by Fredenburg and known as the Plattsburgh Old Patent. Plattsburgh became the Clinton County seat in 1788. Between 1788 and

1812, Plattsburgh grew quickly and was the sight of the Battle of Plattsburgh, which was fought against the British under the direction of General McDonough on land and water in 1814.

Following the War of 1812, a lasting peace was established and Plattsburgh continued to grow. The city became the Port of Entry for the district of Champlain and a major collection and distribution point for John Jacob Astor's fur trading business. Plattsburgh's excellent rail and steamboat connections and an extensive street railway system made it a thriving regional center and resort location. This was particularly true after the unspoiled wilderness of the Adirondack Mountains was opened up by the Chateaugay Railroad, with stops at Chazy Lake, Chateaugay Lake, Loon Lake, and Saranac Lake. Although Lake Placid was not on the railroad line, the Chateaugay Railroad could bring visitors conveniently within ten miles of that destination. As a result of its location and excellent transportation facilities, Plattsburgh had a thriving hotel industry; examples include the Hotel Champlain at Bluff Point, Witherill Hotel (Margaret Street and Custom House Square), Fouquet House (Bridge Street opposite D&H Station), Cumberland Hotel (Margaret and Court Streets), American House (River Street) and Commercial Hotel (River Street). The Hotel Champlain was particularly large and well-appointed, featuring a 450-acre park-like setting with shaded walks and benches, tennis courts, golf course, equestrian outings, archery course and day trips by boat or rail.

In the mid-1800s, Plattsburgh also became a major industrial area, supporting such large manufacturing concerns as Chateaugay Ore & Iron Company, developer of the Chateaugay Railroad which opened up the Adirondacks; Fredenburg Falls Pulp Company which supplied wood pulp to paper mills in Glens Falls, Fort Edward, Sandy Hill, Ballston and Troy; Baker Brothers Lumber Dealers, specializing in ceilings, shingles, siding, lath and quarter-sawn oak; Williams Manufacturing which produced sewing machines in Montreal and Plattsburgh; Plattsburgh Shirt Company, branch office of C.F. Crosby & Company of Troy; A.D. Boomhower Creamery/Grocery, S.S. Whittlesey Foundry, Plattsburgh Light, Heat & Power Company, Allen & Sherman Pulp Mill, supplying wood pulp to paper bag manufacturers in Ballston; Fayette, Mendelsohn and Company, brewers and cigar makers; and Mountain Lumber, supplying logs to the pulp mills. Several of these industries, including those related to paper and wood products, still thrive in the City with firms such as Imperial Wallpaper and Georgia Pacific.

The City's history is also closely linked to that of the U.S. Armed Forces. The Plattsburgh Air Force Base (AFB) is America's second oldest military post. As a military installation,<sup>4</sup> Plattsburgh was

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<sup>4</sup> Most of the material in this section is adapted from the Environmental Impact Statement Disposal and Reuse of Plattsburgh Air Force Base, New York, pp. 3-4; and National Register of Historic Places Inventory--Nomination Forms on file at the New York Office of Parks, Recreation and Historic Preservation.

involved with major campaigns, battles and wars, including the War of 1812, the Seminole Wars, the Mexican War, the Civil War, the Spanish-American War, the Philippine Insurrection, World War I, World War II, the Korean War, the Cold War, the Vietnam War and the Gulf War. The first military structure in Plattsburgh was the State magazine, or arsenal, built in 1809. The arsenal was designed to store rifles, pistols, artillery pieces, and ammunition. Plattsburgh was a staging area for American armies and naval forces in the War of 1812. Land on which forts, blockhouses, and barracks had been built was purchased by the United States and named Plattsburgh Army Post. This was the official beginning of the military establishment. During the Civil War, the post was the gathering point for troops and volunteers from the area.

Between 1893 and 1897, major building construction occurred on the post. In 1915, the Plattsburgh Post began the concept of the Reserve Officer Training Corps. When the United States entered World War II, Plattsburgh's 26th Infantry Regiment began a long campaign through North Africa and Italy. In 1944, the post was transferred to the U.S. Navy and renamed Camp McDonough. At the end of the war, the U.S. Army regained control of the property. It was used as a convalescent hospital until 1946, when it was acquired by the State of New York for use as Champlain College.

Plattsburgh AFB was established in December 1953 with the transfer of property from Champlain College to the U.S. Air Force. Construction of a 3,178-acre air base west of U.S. Highway 9 (U.S. 9) started in 1954. This part of the base is referred to as the new base and the original property east of U.S. 9 is referred to as the old base. In 1956, the Strategic Air Command stationed the 380th Bombardment Group at Plattsburgh AFB. The Group consisted of B-47 Strato-Jet bombers and K-97 aerial refuelers. In 1960, Atlas Intercontinental Ballistic Missiles were installed in silos in areas surrounding the base. In October 1962, Plattsburgh's missiles were alerted in response to the Cuban Missile Crisis. The missiles were removed in 1965, and the silos were closed.

In 1966, B-52 Stratofortresses replaced the B-47s. The mission of Plattsburgh AFB remained the same with the addition of the 530th Combat Training Squadron and the 528th and 529th Bomb Squadrons. Tanker crews and aircraft from Plattsburgh AFB supported the mission in Southeast Asia. In 1971, the FB-111 Medium Bomber replaced the B-52 as the bomber at Plattsburgh AFB. In 1991, with the formation of 380th Air Refueling Wing, the mission of the base became refueling. After the Cold War, the KC-135 Stratotanker became the primary operational aircraft of the base and in July 1991, the last of the FB-111s left Plattsburgh AFB. In 1991, Plattsburgh AFB's Stratotankers were involved in the air campaign during Desert Storm. With the June 1992 reorganization of the major Air Force commands, Plattsburgh AFB became part of the Air Mobility Command.

In 1996, the Plattsburgh Air Base began declassification. Its closure represented a loss of jobs and infrastructure while presenting a challenge for redevelopment efforts. A task force was charged with planning the future uses of the base. The Plattsburgh Air Base Redevelopment Corporation (PARC) has implemented a mixed-use community that has become intertwined with the City of Plattsburgh.

All subsequent references to the former Air Base in the LWRP will be as the Old Base site. The current and proposed uses are a mix of residential, recreational, commercial and light industrial.

### **Recent Community Development Efforts**

In past decades, several significant construction projects have had a severe impact on the Central Business District and have changed the character of the entire city. The construction of I-87 linked Plattsburgh to the U.S. interstate system, vastly improved its accessibility to the American and Canadian markets as well as the entire regional transportation network, and made it much more attractive to relocating businesses. However, it has also made it easier for potential visitors to bypass the city, has spurred development at the western edge of the city and draws people away from the Central Business District.

Other projects, including the construction of the Plattsburgh Plaza Shopping Center, Ames Plaza, the Pyramid Malls, North Country Shopping Center and Skyway Shopping Center, have also drawn business away from the downtown and contributed to the development of the city's extremities, spurred by the safety, convenience and tidiness absent in the deteriorating and congested downtown. As is true in most American cities, many buildings were old and had fallen into serious disrepair. Faced with the high cost of renovating their outdated facilities, the lack of adequate parking and public infrastructure, and the fear that potential customers might be passing them by, many business owners opted to relocate to the highway corridor.

In response to these problems, the City initiated a tradition of long range planning aimed at revitalizing and repositioning the local economy. The City's Master Plan was completed in 1962, with minor updates carried out in 1969. These documents were augmented by the Neighborhood Analysis (1964), Comprehensive Park and Recreation Plan (1971), a study entitled Economic Considerations - Central Business District of Plattsburgh, New York (1973) and the Development Concept Plan (1982). These documents continued to guide and support the implementation of the City's broad-based objectives of providing adequate housing, upgrading public infrastructure and facilities, developing a properly functioning business district, and encouraging industrial expansion and diversification of the local economic base.

Also, a Comprehensive Plan for the City was completed in 2001, and adopted by the Common Council. This plan laid the groundwork for the City's current revitalization efforts and resulted in an update of the City's zoning ordinance.

Throughout the 1970s and 1980s, these documents provided a general guide while the City actively pursued federal and state funding assistance to accomplish a variety of community and economic development activities. These efforts were designed to eliminate major problems associated with housing deterioration, public facility deficiencies and general economic decline.

During the past two decades the City has been able to capitalize on a variety of state and federal funding to help address the problems contributing to its economic decline. With \$3.3 million in CDBG Hold-Harmless Entitlement funding (1975-1978), the City completed major improvements to basic public facilities (streets, water and sewer, flood and drainage, malls and walkways, and recreation) as well as some rehabilitation. From the late 1970s through 1980s, the City was highly successful in securing Small Cities Community Development funds through the Department of Housing and Urban Development. This resource, amounting to \$1,950,000 (1978, 1979, 1980), has directly funded housing rehabilitation and public facility improvements in low/mod neighborhoods.

According to the Economic Development Zone (EDZ) annual reports, the City has also made effective use of RESTORE, Rental Rehab, AHC, and CDBG funding to improve housing within the EDZ. The 1989 RESTORE program resulted in the rehab of four low/mod units. Between 1989 and 1993 (reporting formats changed in 1994 and 1995, resulting in slightly different types of information), the Rental Rehab program used approximately \$586,160 in federal, state and private funds to rehabilitate 100 structures, 71 of which were low/mod households. During 1986-1992, \$1,014,944 in CDBG funds (1986-1992) was expended to rehabilitate 102 structures (107 low/mod households) and construct 24 new units (14 low/mod households). In 1992, the City of Plattsburgh also began a revolving loan fund for commercial building rehabilitation, and has successfully rehabilitated numerous commercial building facades as part of the Facade I & II projects.

The City of Plattsburgh has also been successful in receiving HUD Comprehensive Grants each year since 1992 for a total of \$9.1M in federal funding and \$2.67M in state funding. These programs have substantially improved the City's quality of housing (both owner-occupied and investor-owned) and have sought to address its most critical housing and economic development needs. The 1992 grant focused on the Miller and Margaret Street areas and resulted in the rehabilitation of 85 units of housing, public improvements consisting mainly of street repaving, curb replacement and utility relocation, improvement of handicap accessibility at the YMCA and the creation of a grant fund to improve accessibility of residences occupied by the disabled.

Since the late 1980s, the City has undertaken a number of publicly-funded programs to improve waterfront and public park areas. Riverwalk Park, including a picnic area and pedestrian bridge was developed on the south bank of the Saranac River, providing views of the McDonough Monument and City Hall. In addition, a handicapped-accessible fishing dock was created at the McDonough Monument, landscaping improvements and walkway paving were completed with substantial volunteer assistance at the Champlain Monument (opposite Verdantique Park), the City Beach received major improvements and Heritage Park was created with EQBA funding. A walking trail, linking the city's various historic landmarks and natural resources was also established. These activities are all part of the city's larger vision of creating a system of walking trails and publicly-accessible areas along Lake Champlain and the Saranac River, which will be addressed as part of the Local Waterfront Revitalization Program.

The City has made great strides in terms of downtown revitalization, through the successful development of commercial facade improvement programs, infrastructure improvements, traffic pattern realignment, creation of additional parking facilities and aggressive programs to attract people and businesses to the downtown including the successful farmers' market.

The City of Plattsburgh was selected as one of twelve pilot Quality Communities in New York State in 2002. Downtown revitalization is one of the desired outcomes from the Quality Community (QC) pilot project and the QC initiative assists in advancing the downtown revitalization component which provides a vital link to the waterfront revitalization area. The Downtown Partnership, a committee of business and community leaders, meet to advance downtown community revitalization efforts. The primary focus of the QC initiative has been the redesign of the Seven Point Hub, a convergence of streets in the center of downtown and with a direct connection to the waterfront and Dock St. Landing and Clinton Street, one of the downtown streets leading into the "Hub".

Additional committees, such as the Point Historic District Committee<sup>5</sup>, the Local Waterfront Revitalization Waterfront Advisory Committee, and the Downtown Partnership have also been established under the auspices of the Mayor and/or the City's Community Development Office.

Plattsburgh Airbase Reuse Corporation: Since 1993, the City has been struggling to minimize the impact of the Plattsburgh Air Force Base closure, which was completed in September 1995 and resulted in the phased relocation of approximately 4,000 military personnel. To mitigate the effects of the base closure on the city and plan for its long-term reuse, the Plattsburgh Intermunicipal Development Council (PIDC) was established in 1993. Made up of representatives from the Town of Plattsburgh, City of Plattsburgh, Clinton County, State Assembly, State Senate, and U.S. House, this council oversaw completion of a base reuse study and draft environmental impact statement, and resulted in the creation of the Plattsburgh Airbase Reuse Corporation (PARC). PARC was structured to become the marketing, development and real estate management arm in behalf of the City, Town and County for base reuse.

PAFB reuse documents emphasize the importance of developing a balanced multi-sector redevelopment strategy, with parallel development actions in aviation marketing, tourism and resort development, former family housing, base transportation assets, as well as marketing base industrial sites. The former PAFB is organized as a Planned Development District.

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<sup>5</sup> See Point Historic District Committee's draft report and related public comments dated June, 1996.

The PARC site has been recreated to become a vibrant, mixed-use community of townhomes, apartments and condominiums. There are several museums, commercial enterprises, and not-for-profit agencies located on or near the U.S. Oval, including a community recreation complex.

### **Demographic Analysis**

Over the past several decades, the City of Plattsburgh has experienced a gradual increase in overall population, although this growth has been sporadic. From 1950 to 1980, the City's population increased 15.8%, rising from 17,738 to 21,057. The City grew 12.1% during the 1950s, but experienced a 7.8% population decline in the 1960s. The population grew more than 11% during the 1970s, but growth was a negligible 0.9% between 1980 and 1990, reflecting relative demographic stability. The net population growth can be attributed to the growth of SUNY Plattsburgh and the Plattsburgh Air Force Base, which closed in September, 1995. Household population during that period increased 3.9%. The 2000 Census shows population declined to 18,816, an 11% decrease attributable to the base closure.

In some respects, demographic trends in the City of Plattsburgh have mirrored national statistics. The City's median household size has been decreasing steadily, reflecting the trend toward smaller families and the increasing prevalence of single parent households. The median household size decreased by 8.3% since 1990 to 2.31 persons per household, and according to the 2000 Census another 0.91% to 2.10%. Renter household size decreased by 6.8% during the period from 2.37 persons per household in 1980 to 2.11 persons per household in 1990 and to 1.90 persons per household in 2000. Renter households comprise over 62.7% of Plattsburgh's housing, almost equal to that in 1900. The national figure for 2000 is approximately 40% rental and 60% owner-occupied.

The predominant housing type is single family homes, with remaining housing pretty much evenly distributed between multiple-unit structures ranging from 2 to 5+ bedrooms. In the past decade, the majority of new housing has been single family attached units, which have been built primarily in the northeastern section of the City adjacent to Lake Champlain on both sides of Margaret Street (NYS Route 9). The Old Base site has brought about the largest increase in available housing units encompassing townhomes, apartments, and condominiums.

The cost of housing in the City of Plattsburgh has been escalating at a higher rate than household income. Household income figures for 2000 indicate an increase of 27.1% in the median household income since 1990. The comparative figures for median rent and median housing values show increases of 38.3% and 34% respectively over the ten-year period. Based on this general data, the relative cost of owner housing in the City has increased at a higher rate than income, presumably placing portions of the City's housing out of reach of some of the population, particularly first time homebuyers.

The number of low and moderate income families in Plattsburgh has remained fairly constant over the past ten years, comprising a little more than one-third of the city's population (approximately 40% in 2000 versus 36.2% in 1990). However the statistics for the very low segment of the population, those families at or below 50% of median income, show a disturbing trend. In 1980, less than one in ten of Plattsburgh's families were very low income (9.4%). By 1990 that number had doubled to 20.4%. In 2000, close to 30% of Plattsburgh's families earned less than 50% of the City's median family income.

The extent of poverty in the City has also increased over the past decade. In 1990, 18.4% of the population was determined to be at or below the poverty level. 2000 Census statistics now indicate that 23.1% of all City residents are living in poverty.

Racial minorities, with significant population gains during the decade, now make up 6.5% of the City's population. In 1990, non-whites comprised approximately 5.1% of Plattsburgh's population. Furthermore, the elderly population increased by during the decade and now represents 14.1% of the total population. These statistics tend to reflect national trend forecasts (Center for Urban Policy Research) which show the elderly population in the country growing significantly only after the year 2020. A growing elderly population will generally require additional subsidized housing, nursing care and other supportive services.

Plattsburgh is the seat of Clinton County government, and is therefore also a natural regional center for banking, law, finance, arts, culture and entertainment. In general, the City of Plattsburgh experienced a fairly healthy net gain in population during the 1980s, increasing by 18.7%. The majority of employment growth during this period was due to the expansion in total services and transportation industry growth. Fairly strong growth in these areas more than compensated for contractions in manufacturing, communications and utilities and wholesale trade. Since the 1993 announcement concerning the projected closing of Plattsburgh Air Force Base (completed in September, 1995), the city has lost numerous military and civilian base-related jobs, resulting in a contraction of the local economy. While steps have been taken to minimize associated employment losses through careful phasing, the base closing had a significant psychological impact on the city as businesses and residents became extremely cautious regarding discretionary financial transactions.

The City's largest employers are the CVPH Medical Center, Georgia Pacific, Bombardier, SUNY Plattsburgh, Mold-Rite Plastics, and several other plastics, wood products, and back office operations firms. The largest employment sectors in the City of Plattsburgh are services (41.8%), retail trade (27.7%), and government (8.8%). The remaining 21.7% is divided among the following sectors: manufacturing (7.9%), FIRE (3.9%), construction (3.7%), transportation (3.4%), wholesale trade (1.3%), communications and utilities (1.3%) and agriculture and mining (0.27%).

The three major employers in Clinton County are Champlain Centers North and South (two shopping malls), Clinton County Correctional Facility, and Champlain Valley Physicians' Hospital.<sup>6</sup> The largest employment sectors in Clinton County are retail trade (21.1%), government (20.0%), services (18.6%), and manufacturing (11.2%). The remaining 29.1% is divided among the following sectors: military (9.2%), transportation and utilities (5.3%), construction (4.5%), finance, insurance and real estate (3.9%), wholesale trade (3.2%), agriculture (2.6%), agriculture service (0.5%), and mining (0.01%).

### **Lake Champlain Basin Demographic Data<sup>7</sup>**

Since Plattsburgh is part of the Lake Champlain Basin (watershed area) and continues to be involved in the Lake Champlain Basin Program regional planning effort, it is important to include demographic data from this wider area. According to Lake Champlain Basin Program studies, approximately 571,000 people lived in the Lake Champlain Basin (68% in Vermont, 27% in New York, and 5% in Quebec) in 2000. Almost two-thirds of the Basin's U.S. population was classified as rural, with the only metropolitan areas recognized by the census being Burlington and South Burlington, Vermont. The population of the Basin has been increasing an average of 1.2% each year over the past 40 years, although growth rates within the Basin vary considerably. For example, the total population residing in Vermont shoreland towns increased by 10.4% in the 1990s, as compared to 4.0% for New York shoreland towns. Similarly, population for the whole Vermont portion of the Basin increased by 10.3%, while that of New York increased by 4.1%. Seven of the shoreland towns on the New York side of the Lake experienced a net decrease in population between 1980 and 1990.

One of the major components of the Lake Champlain Basin economy is the large influx of seasonal residents. While about 40% of the year-round population resides in shoreland towns, seasonal residents are more evenly distributed throughout the Basin. According to 1990 Census data, there were 38,530 seasonal homes in the Basin, which is 14.6% of all Basin housing units, and approximately 9,120 of the seasonal homes are in Lake Champlain shoreland areas.

The economy of the Lake Champlain Basin was traditionally a resource-based economy. In addition to agriculture, both renewable natural resources (such as timber, tannin, fish, game, ice, maple

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<sup>6</sup> Draft Environmental Impact Study - Disposal and Reuse of Plattsburgh Air Force Base, New York, pp. 3-5,6.

<sup>7</sup> This section was condensed and excerpted from "Chapter Six: Economics in the Lake Champlain Basin" in Opportunities for Action: An Evolving Plan for the Future of the Lake Champlain Basin, ( Lake Champlain Basin Program, April 2003). The Lake Champlain Basin Program is described under the description of Lake Champlain/Saranac River below.

syrup) and non-renewable resources (such as iron ore, marble, gravel, slate, wollastonite) have played a central role in the region's economy. However, while agriculture and other natural resource based activities continue to make significant contributions to local economies, the Basin economy has diversified into such areas as education, health care, tourism services, prisons and manufacturing. According to research done in the 1990s, the largest employment sectors in the Lake Champlain Basin are services (35%), wholesale and retail trade (22.3%), and manufacturing (14.9%).

The role of Lake Champlain in the economic well being of the region is a subject of study by the Lake Champlain Basin Program. However, it is already known that tourism connected to the Lake is a significant economic factor in the region. It has been estimated that total tourist expenditures within the Lake Champlain Basin were \$3.8 billion in from 1998-1999, and that 40% of all tourism expenditures, or \$1.52 billion were Lake related.<sup>8</sup>

## **B. Lake Champlain/Saranac River**

The City of Plattsburgh is located on the western bank of Lake Champlain in the widest section of the lake known as "Broad Lake" (LCBP Management District #20). Lake Champlain is the sixth largest unregulated fresh water lake in the United States and is bounded in the west by the Adirondack Mountains of New York and in the east by the Green Mountains of Vermont. The lake is 120 miles long from its southernmost point in Whitehall, New York to its northernmost point at the Richelieu River in Quebec, and 12 miles in breadth at its widest crossing near Burlington, Vermont. Unlike most water courses, Lake Champlain flows northward, discharging into the Richelieu River in Quebec, which empties into the St. Lawrence River, and hence the Atlantic Ocean. This is a direct navigable connection to the St. Lawrence Seaway, which provides access from the eastern seaboard to the midwestern part of the continent. Furthermore, the lake has 435 square miles of surface, more than 70 islands, 587 miles of shoreline, and a depth reaching 400 feet (mean depth for the lake is 64 feet).<sup>9</sup> Lake Champlain is also part of the New York State Barge Canal System, which has been the focus of renewal efforts. Following the canal system, boats can travel up the Hudson River into the Champlain Canal at Waterford, New York, then travel 60 miles through 12 locks to Lake

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<sup>8</sup> Documents included "Opportunities for Action: An Evolving Plan for the Future of the Lake Champlain Basin-- Pollution Prevention, Control and Restoration Plan Draft, October, 1994; Lake Champlain Boat Study, 1993; Lake Champlain Recreation - Public Involvement 1994 Technical Appendices, 1994; and Developing a Recreation Plan for Lake Champlain: The Public Involvement Process, 1994. All documents were prepared under the auspices of the Lake Champlain Basin Program (cooperative group made up of representatives from the Vermont Department of Forests, Parks and Recreation, New York Office of Parks, Recreation and Historic Preservation, and the National Park Service).

<sup>9</sup> Lake Champlain Basin Program Documents.

Champlain at Whitehall. The New York State Barge Canal System, which is largely used for pleasure boating, also connects to Buffalo, New York and the Finger Lakes region through Central New York.

While the City of Plattsburgh itself is no longer part of the NYS Barge Canal System, it received grant funding and loan guarantees under the U.S. Department of Housing & Urban Development's Canal Corridor Initiative of 1997.

In 1990, the United States Congress passed the Lake Champlain Special Designation Act of 1990, mandating the states of Vermont and New York to develop a pollution prevention, control and restoration plan for Lake Champlain. As a result of this Act, the Lake Champlain Basin Program was established. An important part of the Act is to address recreational issues in the Lake Champlain basin. Accordingly, the New York Office of Parks, Recreation and Historic Preservation and the Vermont Department of Forests, Parks and Recreation entered into a cooperative agreement to develop a comprehensive recreation plan for Lake Champlain. Through this joint effort the two states aim to manage Lake Champlain, its shorelines and its tributaries for a diversity of recreational uses while protecting its natural and cultural resources.

The Lake Champlain Basin Program studies, including boat counts carried out through aerial photography, user surveys, and public meetings, have provided strong evidence that recreational use of Lake Champlain has increased dramatically in the last decade. This has resulted in certain facilities and bays becoming overcrowded by recreationists and boaters, increased competition for access to the lake through public and private facilities, increased user conflicts and the loss of surface water acreage for certain recreational activities by increases in the number and location of boat mooring and anchorage areas. Lake users include motorboaters, sailboaters, other boaters (canoes, rowboats, paddleboats) and personal watercraft (personal water craft sailboards) users; motorboats and sailboats predominate, representing 62.0% and 25.4% of watercraft on the lake respectively. The boat count found that the vast majority of boats were not actually in use on a weekend day in high summer, that the Vermont side of the lake is much more developed and boater-friendly than the New York side (which needs additional tourist facilities, restaurants, and accommodations), there is a need for sustainable tourism, and there is a general perception that 70-80% of boat traffic is Canadian.

As identified in the Lake Champlain Basin Program public meetings, major recreational use issues involving those living on or visiting Lake Champlain include the lack of public access, an increase in the number and types of recreation user conflicts, safety concerns, continuing deterioration of natural, cultural and historic resources, and the lack of coordinated promotion and marketing for low-impact tourism. In addition to a generally insufficient supply, the studies found that many existing boat launch sites around the Lake are in a state of disrepair and need to be upgraded and/or expanded. Among other findings, the studies noted that New York was much less developed, with

fewer facilities, than Vermont. Two of the most popular boat anchorages identified were Valcour Island and Point Au Roche, New York (both are State Parks near Plattsburgh).

Public Access to Lake Champlain (New York and Vermont)		
	Vermont	New York
Boat Launches	85	31
Commercial Marinas	27	20
Public Beaches	41	27

Besides good boating and outstanding sailing, the Plattsburgh area has the potential to draw tourists interested in American history. The Cumberland Bay area of Lake Champlain (historically known as Plattsburgh Bay) has occupied an important place in American history, figuring prominently in both the Revolutionary War and the War of 1812 as the British sought to seize control and exert influence as far south of Canada as possible. Although it had been widely noted that little effort has been made to study, definitively identify or interpret resources of these wars, the Valcour Bay Research Project in partnership with the Lake Champlain Maritime Museum has retrieved artifacts from Valcour Bay bottom and annotated their locations and those of ships sunk in battle. Plattsburgh is located in one of the widest areas of Lake Champlain, and is strategically located between the Adirondack Mountains to the west and the Green Mountains of Vermont, across the lake to the east. In recent documents prepared by the Lake Champlain Basin Program Plattsburgh has been identified as being in a key location, although improvements are needed.

Valcour Bay, located between Valcour Island and the western shore of Lake Champlain, is four miles south of Plattsburgh. The bay was the site of a naval engagement on October 11, 1776, which marked the beginning of General Sir Guy Carleton's invasion of New York during the Revolutionary War. The campaign, which followed the successful repulsion of the Americans' invasion of Canada in the winter of 1775, was designed to establish British control of the Lake Champlain-Hudson River waterways. Carleton's northern army and Howe's southern army planned to meet in Albany and thereby sever the New England colonies from the middle Atlantic. Although the battle could not be termed a victory for the Americans, it did significantly delay British operations until the next year.

A second momentous naval battle occurred in Plattsburgh Bay during the War of 1812. The Plattsburgh Bay Historic Landmark consists of three sites: 1) the Bay itself, including Crab Island, where the naval battle and its aftermath took place; 2) the McDonough Memorial; and 3) the site of Fort Brown near Route 9, which was related to the repulse of the British land advance southward. The three discrete sites commemorate the Battle of Plattsburgh Bay and the related land engagement, which together drove the British from the Champlain Valley near the close of the War of 1812. The simultaneous double victory resulted in the immediate retreat of the British army towards Canada. Two other redoubts, Fort Scott and Fort Moreau, were also located in this area,

but have long since been built over and are now commemorated only by historic markers or plaques.

According to the National Register of Historic Places Nomination, the Plattsburgh Bay National Historic Landmark has the potential to yield useful archaeological information relating to the events of the Battle of Plattsburgh Bay in a number of ways. The bay itself may contain underwater archaeological data connected with the battle. Although no ships were sunk during the engagement there is a strong chance that cannon balls and other debris from the battle may lay on the lake bed. Crab Island may contain archaeological evidence in the form of graves of sailors killed in the battle and the remains of the hospital that was established to tend the wounded. By far the most significant archaeological resource within the landmark is Fort Brown, the one well-preserved site connected with the events of 1814 that survives in any substantial form. The structural remains of the defenses and buildings within the redoubt may provide detailed information on the lay-out and workings of small, specialized fortifications of the early 19th century. Although the exact date of abandonment is not known, occupation of the fort was evidently short-lived. Sealed archaeological deposits should exist on the site and be fairly indicative of its military usage both during and immediately after the Battle of Plattsburgh Bay. Artifacts on the site should be representative of the level of material culture on early American military installations in this area. It has also been suggested that objects of British manufacture may be recovered and that these may throw light on the purported "illicit" trade networks that American and British military personnel participated in at the time of the Battle of Plattsburgh Bay.<sup>10</sup>

During the 1990s, a series of interpretive markers were put in place at the picnic area on the south end of the municipal beach along the Heritage Trail. Other recent efforts to capitalize on the Lake Champlain waterfront have included the development of a bike trail around the Lake using existing roads.

Many of the city's earliest industries were also initially located on the banks of the Saranac River, where they could capitalize on the river's swift flowing waters. Although the Saranac River is not a separate subarea within the waterfront revitalization area, it is a great asset to the city. Redevelopment and provision of formalized public access points should be addressed in the long-term.

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<sup>10</sup> See National Register of Historic Places Inventory--Nomination Forms for Plattsburgh Bay ( 90NR0172) and Valcour Bay on file at the New York State Office of Parks, Recreation and Historic Preservation.

## **C. Existing Land Use and Analysis of Opportunities and Constraints**

The existing land uses in the waterfront area are presented for four distinct, arbitrarily named subareas, including the North End Subarea, Cumberland Avenue/Wilcox Dock Subarea, Marina Subarea, and Old Base Subarea. Primary attention is given to uses immediately adjacent to the water. Boundaries are shown on Map 4. Each of these subareas exhibit unique land use patterns which are addressed below. Boundary descriptions and a preliminary analysis of opportunities and constraints affecting future development in the near- and long-term are included for each subarea. Additional information regarding land and water use, and proposed projects can be found in Section 4. Reference should be made to Map 4 for a graphic display of land use.

### **North End Subarea**

The North End subarea includes that portion of the waterfront area between N.Y.S. Route 9 (Margaret Street) and Lake Champlain from the northern city line to the intersection of Boynton and Cumberland Avenues. This subarea contains several different land use patterns. From the northern city line to Scotion Creek, the waterfront land is owned by the City of Plattsburgh and used as the Municipal Beach, with improvements in the form of concession stands and restrooms. The Municipal Beach includes a life-guard patrol, groomed swimming beach, the Crete Memorial Civic Center (which includes an ice hockey rink/auditorium with a seating capacity of 3,500-4,000), the Heritage Trail and boardwalk, the Scotion Creek wetlands, a picnic pavilion and interpretive area, snack bar, restroom facilities and an extensive parking area. The Beach is located immediately south of the Cumberland Bay State Park campground.

Between Scotion Creek and the Boynton/Cumberland intersection, residential and commercial development predominates. There are numerous motels, restaurants, strip mall areas, and offices. Much of the waterfront area between the southern edge of the Municipal Beach and Georgia Pacific is composed of thriving wetlands. At the point nearest the intersection the land is occupied by the Georgia Pacific paper mill.

Residential development consists of recently constructed, upscale condominiums and townhomes in nicely landscaped neighborhoods. Office development is similar. Most motels appear to be fairly well-maintained two story buildings constructed within the last 10-20 years and occupy waterfront property. Georgia Pacific's railroad spur and settling basin are also located near the Boynton/Cumberland intersection.

#### **Opportunities:**

- Working with property owners to rehabilitate various apartment complexes would have a significantly positive impact on surrounding housing.

- Improved interpretation of the Heritage Trail/Scomotion Creek Wetlands/Dunes cultural and natural resources would further enhance the beach area.
- Close proximity of Municipal Beach, Cumberland Bay State Park, Point Au Roche State Park, and other nature areas (such as Woodruff Pond) present a concentration of attractions and amenities that could be linked, improved and better marketed. The City could work with the NYS Office of Parks, Recreation and Historic Preservation, Clinton County and others to develop long-term recreation plans to maximize and enhance mutual resources.
- The Municipal Beach area already attracts considerable tourism activity from Canada. Stronger linkages could be developed between the beach and downtown, as well as other waterfront and downtown amenities. Marketing and promotion efforts could then build on established linkages.

**Constraints:**

- PCB contamination, as well as the potential presence of other toxic paper manufacturing related by-products, represent significant health threats in the cove adjacent to the Georgia Pacific lands (at southern end of subarea and northern edge of Wilcox Dock subarea). The Georgia Pacific site has been successfully remediated.
- The Municipal Beach may not be fully handicapped accessible.
- As noted during a series of public meetings, ongoing beach erosion and debris deposit poses a continuing maintenance problem in this entire subarea. This could prevent, or considerably add to the expense of, any future attempt to establish a waterfront trail.
- Private ownership (and erosion) of waterfront land south of the city beach prevents extension of the Heritage Trail and represents potential sources of conflict among owners and users.
- The Municipal Beach area has no strong link with Central Business District and is quite remote from city (see opportunities above).

**Cumberland Avenue/Wilcox Dock Subarea**

The Cumberland Avenue/Wilcox Dock subarea includes that portion of the waterfront land located east of Cumberland Avenue between the Cumberland/Boynton intersection and the Samuel de Champlain Monument park area.

The northern portion of this area (north side of Cumberland) is occupied by the Georgia Pacific paper mill facilities. While areas along Saily Avenue (to the west of Cumberland) are primarily commercial with some residential areas, the areas to the east are predominantly single-family residential in good to prime condition, particularly around Point View Terrace. The state-owned

Wilcox Dock, formerly the NYS Barge Terminal, consists of a partially forested, grassy area adjacent to a cast-in-place concrete and corrugated steel bulkhead. Although state-owned, the City has use permit rights. An informal area for mooring sailboats is located south of the bulkhead in the small cove between Wilcox Dock and private residential land. The area offers excellent views of the Municipal Beach area and has considerable public-access development potential. Access to Wilcox Dock is fairly unrestricted and infrastructure and lighting has been upgraded. An exercise walking trail including a parking area on Cumberland Avenue has been built.

A cove located in the Point View Terrace residential area immediately south of Wilcox Dock forms a privately owned, inaccessible beach. At this point, the waterfront topography becomes much more rugged, with high bluffs and long slopes to the shoreline. Between Wilcox Dock and the Champlain Monument, the land is occupied primarily by private, upscale residential housing and is probably inaccessible for public use except in the long-term. The stable residential neighborhood is an asset to the City in general. Land and water uses are therefore expected to remain the same in the foreseeable future.

**Opportunities:**

- The Wilcox Dock area has existing development that could be converted slowly over time through incremental improvements. Redevelopment of this underutilized area is a relatively low-cost project. The local chapter of the American Lung Association has developed the Healthy Lung Trail, a walking and exercise trail through the Wilcox Dock area.
- "Cumberland Bay Interpretive Trail" in this area could become a northern extension of the existing Riverwalk Trail. The north trailhead is existing and has been developed to provide access to the pedestrian bridge over the Saranac River.
- The low-lying land around Cumberland Bay provides an excellent opportunity for visual and physical access to the lake. While the presence of wetlands poses a constraint to development, they represent the opportunity for nature viewing and interpretation through controlled trail access.
- Existing water uses include informal fishing and boat mooring and launching. These activities could be formalized and strengthened over time without major expenditure of resources. A boat launch is being developed at this location until the launch at Dock St. Landing is operational.

**Constraints:**

- Private property along the lakeshore presents a constraint to public access. Negotiations to obtain waterfront trail easements are unlikely to succeed. This means that the "trail" in

some parts of this subarea would have to follow public sidewalks along existing residential streets.

- The proximity of the Georgia Pacific wood pulp processing plant poses constraints for health and aesthetics. However, this could be an opportunity for access development because the land is owned by a corporation that has a self-image of public beneficence.
- Permits to build an interpretive trail in or adjacent to the wetland portions of this subarea may be difficult to obtain because the wetland habitat would be disturbed during construction and permanently impacted afterward.

**Map 4 - Existing Land and Water Uses**



### Marina Subarea

The Marina Subarea includes that portion of the waterfront area between the Saranac River and Lake Champlain to the former PAFB lands just south of Hamilton Street. A portion of this area has been designated the Point Historic District and is listed on the National Register of Historic Places, which is roughly bounded by Pike, Bridge, Jay and Hamilton Streets and consists of 38 structures constructed between 1815 and 1880.

Situated between Lake Champlain and a bend of the Saranac River to the west and east, as well as the former CP Rail yard and Plattsburgh AFB to the north and south, the area abuts an extremely underutilized waterfront area and is somewhat isolated from the Central Business District. The privately-owned marina represents one of the City's only accessible boating areas and is adjacent to the docking location of a future tour boat operation. This area is at the foot of the Point Historic District, adjacent to the U.S. Oval Historic District, and protected by a breakwater.

This subarea also contains the most important component of the City's waterfront: Dock St. Landing. In an effort to redevelop its waterfront, the City purchased the approximately 14 acre former rail yard from CP Rail. This site, renamed Dock St. Landing, is poised to become a regionally significant destination on Lake Champlain and the centerpiece of the City's waterfront. Located just across the Saranac River from areas currently being redeveloped by the City, including the Plattsburgh Hub and Clinton Street, this mixed-use development will soon be home to a hotel and conference center facility, restaurants, limited retail, municipal parking area, and a 3-acre waterfront park and boat launch. In order to achieve this goal, the City, State, and private developers have been collaborating to bring the project to fruition. The incremental redevelopment of Dock St. Landing has been advanced through a series of Department of State Environmental Protection Fund grants assisting the City in the redevelopment of this important waterfront site. These include:

The City of Plattsburgh EPF Year 2000 (\$75,000)

- Enabled the City to complete a feasibility study to determine the cost associated with relocating the Canadian Pacific rail yard from prime waterfront land to another site.
- Enabled the City to undergo site investigations regarding potential contamination and archeological significance.

The City of Plattsburgh EPF Year 2001 (\$250,000)

- Advanced the engineering assessment of the site for the proposed uses, infrastructure needs and phase II remediation;
- Completed an economic and marketing feasibility study as to the size and type of hotel, restaurant, and retail shops including preparing an RFP to attract potential developers;
- Architectural services to complete a site analysis profile including alternative schematics of the proposed use;
- Pre-construction and site improvements for the Lake Champlain Shoreline Cruises site (part of Dock St. Landing)

The City of Plattsburgh EPF 2003 (\$350,000)

- Provided for the design and engineering of the site's necessary infrastructure for the entire redevelopment site, including final construction drawings for an approximately three acre public park at Dock St. Landing.

The City of Plattsburgh EPF 2005 (\$500,000)

- Allows the City to undertake construction of a 3-acre park, including walkways, landscaping, lighting and site furnishings, as well as a new boathouse, dock and piers, boat storage facility, and restrooms on the City-owned parcels.

The City of Plattsburgh EPF 2006 (\$500,000)

- Provided for the design and construction of the 350-space parking facility and infrastructure for the waterfront park and hotel/convention center.

In addition to these grants, the City has continued to collaborate with private developers to undertake the development of the hotel/conference center. As of July 2007, Monahan Development Corp. has obtained Planning Board approvals for an independent hotel/conference center, including a 117 room hotel, +/- 10,000 square foot conference center, 80+ seat restaurant serving breakfast, lunch & dinner, 60+ seat tavern, indoor pool and Fitness Center. In addition, the Department of Environmental Conservation has collaborated with the City to introduce a boat launch in the new waterfront park, as well as connect a waterfront trail to the Saranac River. This public/private collaboration has enabled Dock St. Landing to be the heart of the urban waterfront, if not the entirety of downtown Plattsburgh.

**Opportunities:**

- Dock St. Landing offers the greatest potential for redevelopment in this subarea and will feature a hotel and conference center facility, restaurants, and a waterfront park/boat launch. When fully developed, the mixed use project will be a regionally significant destination on Lake Champlain and a gateway into Plattsburgh's downtown.
- The low-lying waterfront lands in this subarea provide an excellent opportunity for visual and physical access to Lake Champlain and the Saranac River.
- Underutilized parcels in this subarea offer potential redevelopment opportunities in the longer term, especially given the redevelopment activities at Dock St. Landing. The City could work closely with all subarea property owners and residents to establish a plan that will create a clear identity and use for the Point -- redevelopment and enhancements in this area have the greatest long-term potential for downtown and waterfront revitalization.
- Proximity and concentration of the U.S. Oval Historic District, Point Historic District, and National Register-listed D & H Railroad complex offer significant opportunities to link interpretive areas and recreational amenities. Given the extraordinary wealth of resources concentrated in this relatively small subarea, an ideal long-term goal could be to develop innovative interpretive programs addressing early industrial, railroad, architectural, military, infra structural and cultural history.

- The Point represents a midpoint between the central business district and the Lake Champlain and Saranac River waterfront via Dock, Bridge and Green Streets. This location could be capitalized on through the development of stronger linkages between the downtown and waterfront, former railyard, and other significant features.
- The Plattsburgh Boat Basin represents existing development that can be improved and enhanced over time in a series of small upgrades.

**Constraints:**

- The City Water Pollution Control Plant at the confluence of the Saranac River and Lake Champlain is a major impediment to public access in a key location. Efforts should be made to screen this use and to provide public access along the water to as great an extent possible.
- The area is presently somewhat cut off from the central business district and there is limited pedestrian movement along the corridor defined by Dock, Bridge, and Green Streets. The City has installed pedestrian lighting as a partial mitigation of this issue. Promoting free and easy pedestrian movement will become more important as all of the components of Dock St. Landing come on-line.
- Although much of the Marina subarea falls within the Point Historic District, there are a number of conflicting uses that have been in place for a considerable time. Any redevelopment, enhancement or improvement in this area will require the city to work closely with property owners and other residents to make optimal use of its existing potential.

**Old Base Subarea**

This section of City, located immediately south of the Point Historic District was not zoned until the Planning Commission's adoption of a new zoning ordinance in 2001. Under the new zoning ordinance, the area is zoned RC-3 along the waterfront and RC-2 in all other areas. It is known as the "old base" and consists mainly of residential structures at the U.S. and Nevada Ovals. The U.S. Oval is a National Register Historic District consisting of large brick buildings constructed in the mid- to late-1890s as officer's family housing, dormitories for enlisted men, a hospital, chapel, gym and theater, skating rink, tennis courts, officer's beach, airmen's beach and the officer's club, with additional housing, utility sheds and support buildings to the south separating the U.S. Oval from the Nevada Oval. The residential buildings have been renovated and sold to the private sector. There is a community recreational complex, several museums, and some commercial uses. The Nevada Oval homes were razed and new residential facilities constructed for senior retirees and assisted living. The marina park area has been "adopted" by the Adirondack Builders Association and Rotary PM who are constructing a pavilion for picnic tables. The former base marina is maintained by the City.

Sailors's beach, at the north end of the subarea, is accessible from the pedestrian and bicycle trail. The City of Plattsburgh utilized ISTEA funds to develop a 10' wide waterfront pedestrian and bicycle trail west of the CP Rail right-of-way along Lake Champlain. The residential and recreational areas are separated from the Lake Champlain waterfront by chain-link fencing and the Delaware & Hudson/Amtrak railroad tracks (approximately two passenger and six freight trains daily).

In most areas the forested land slopes steeply downward to the water, with much of the residential areas having nice, but partially obscured views of Lake Champlain. Access to the two beach areas is provided by pedestrian bridges over the railroad tracks. This subarea represents numerous opportunities for the City of Plattsburgh.

**Opportunities:**

- All waterfront development alternatives identified in base reuse documents recommend development of recreational uses such as pedestrian trails or walkways.
- Existing recreational facilities throughout the site can be linked to expanded waterfront development with incremental improvements over time.
- The Old Base site offers numerous interpretive opportunities which should be explored and could be developed in phased over the long-term. The dock and docking facilities located at the base of the marina park should be reconstructed and use expanded.

**Constraints:**

- The existence of some slope and erosion hazards present physical barriers to waterfront access.
- The CP Rail right-of-way is private property and represents an obstacle to waterfront access.

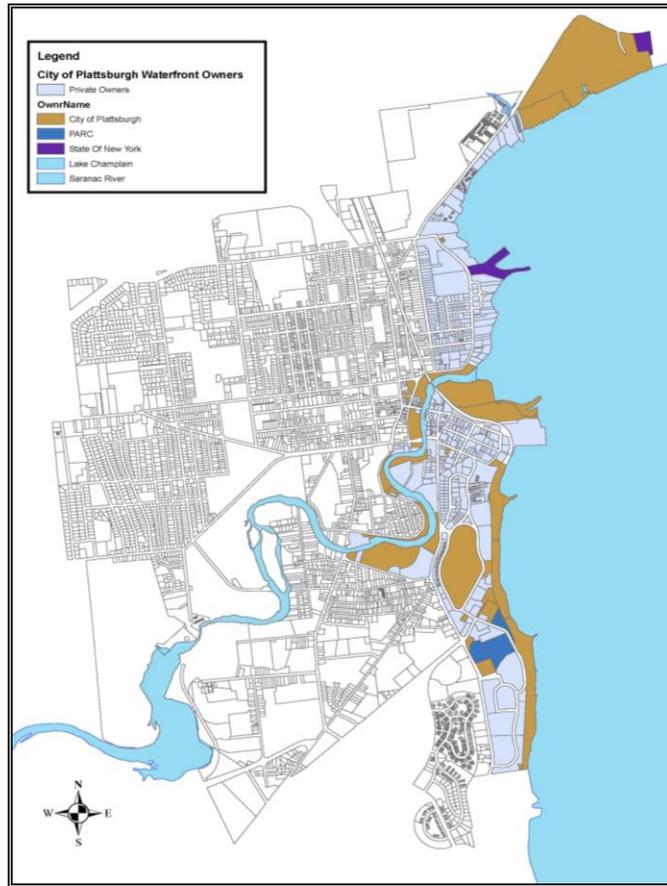
**D. Land Ownership**

This section focuses primarily on parcels located directly on the waterfront. Land ownership patterns are shown on Map 5.

**North End Subarea**

Approximately half of the land in this subarea is owned by the City of Plattsburgh, with the other half under private ownership and consisting of motels, condominiums, and commercial development. Major property owners in this subarea include the City (municipal beach), and Georgia Pacific.

Map 5 - Existing Ownership



### Cumberland Avenue/Wilcox Dock Subarea

Land ownership in this subarea can be roughly divided into thirds, with Georgia Pacific owning the northernmost third, New York State owning the central third (Wilcox Dock), and the remaining third privately owned with prime residential development.

### Marina Subarea

Most of the land in this subarea is privately owned, with the exception of the sewage treatment plant and Dock St. Landing. Major parcels are owned by the City, Plattsburgh Boat Basin, Plattsburgh Grocery Inc. and Lakeside Container Corp.

### Old Base Subarea

The presence of considerable publicly-owned land at the city beach, Wilcox Dock, and the Old Base site is a great asset to the City and one that should be protected and thoughtfully developed. There

are many opportunities here for increasing and improving public waterfront access without depending on the actions and good will of private property owners.

### **E. Public Access and Recreation**

Formal public access (see Map 6) to the Lake Champlain and Saranac River waterfronts presently exists at approximately eight city locations:

- Plattsburgh Municipal Beach
- Wilcox Dock (somewhat restricted)
- The Marina
- the McDonough Monument
- Samuel de Champlain Monument Park
- Riverwalk Park
- South Platt Park
- SUNY play fields

Within the Old Base lands, there are several other public access points, including the aforementioned Rotary PM and Adirondack Builders Association recreation sites several play areas, and a recreational trail. Cumberland Bay, Port Au Roche and Valcour Island State Parks also provide access to Lake Champlain immediately north and south of Plattsburgh. Analysis of the Lake Champlain Basin Program documents confirms that the Plattsburgh area is one of the more heavily used boating areas of the Lake, making waterfront revitalization of considerable importance to Plattsburgh's future.

The Plattsburgh Municipal Beach has been described in the North End Subarea description above. The NYS-owned Wilcox Dock is accessible to the public after a number of years being restricted. Pedestrian and vehicular access is essentially unrestricted. The area, once an aging barge canal dock and partially forested open land with excellent views of Cumberland Bay and the City Beach, now has improved docking and the Healthy Lung Trail, a walking and exercise trail. The Plattsburgh Boat Basin at the foot of Dock Street consists of approximately 11.86 acres. It includes six docks with 185 boat slips, travel lift, administrative offices, restroom facilities, pumped facilities and limited winter storage capacity. A popular seasonal restaurant is also located at the marina with spectacular views of the Lake and the Green Mountains. McDonough Monument and the Riverwalk Park includes a pedestrian bridge and a handicapped fishing pier and boat launching site developed as a demonstration project by the City and the Lake Champlain Basin Program. Champlain Monument Park features a bandstand, landscaping, walkways, and planting beds, most of which were developed with substantial volunteer labor.

Map 6 - Historic Resources and Public Access



**F. Infrastructure**

The City of Plattsburgh is serviced by the full range of utilities and support systems typical to urban areas. This section therefore includes descriptions of various key components, including the water supply, sewage disposal, solid waste disposal, and transportation systems. While most components are City-wide the PARC site, has some separate facilities. It should also be noted that a major city infra structural asset is the municipal electric system, which brings electricity in from the New York State Power Authority. Since more than 50% of the Power Authority's generating capacity is from

hydro sources, the City's rates are generally 1/3 of the rates available elsewhere in New York State. The system has a 28% capacity reserve for future growth.<sup>11</sup>

### **Water Supply<sup>12</sup>**

The Plattsburgh City Water Department supplies water to the City and Town of Plattsburgh as well as the PARC site. Water is pumped from city-owned surface reservoirs constructed on West Brook and Mead Brook (tributaries of the Saranac River) located approximately 5 miles west of the city on NYS Route 3. The reservoirs are fed by runoff and natural springs from a 1,200 acre watershed. West Brook #1 has a storage capacity of 109 MG, West Brook #2 has a storage capacity of 20 MG, and Mead Brook has a storage capacity of 400 MG.

A water treatment plant is located approximately two miles west of the city in the Town of Plattsburgh. This plant has the capability of flocculation (not currently required to meet Federal water quality standards), filtration, chlorination and fluorination. Treatment consists of filtration using anthracite filter media followed by chlorination for disinfection and the addition of fluorine to the treated water. The treated water is then stored in 2.7 and 2.3 million gallon open concrete tanks for distribution. The water is slightly hard, with an average pH of 7.5 and is distributed to 4,300 residential metered customers and 200 commercial and industrial customers; 500 city fire hydrants are also connected to this water system. The biggest industrial customer is the Packaging Corporation of America, which uses approximately 0.5 MGD. Total water supplied to the city was 4.5 MGD in 1991, 6.0 MGD in 1992, and 4.0 MGD in 1993. The water supply is sufficient for considerable future growth.

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<sup>11</sup> EDZ Program Final Application (February 26, 1988), 2-26.

<sup>12</sup> Information on the City of Plattsburgh water supply system was taken primarily from the EDZ Program Final Application (February 26, 1988), p. 2-23; the Draft Environmental Statement - Disposal and Reuse of Plattsburgh Air Force Base, New York, pp. 3-40 and 3-87. Additional sources include the Comprehensive Water Supply Study, Clinton County, NY, June 1970; Mead Dam Phase II Stability Study, 1984; and Mead Reservoir Safe Yield Study, 1985.

## **Sewage Disposal System<sup>13</sup>**

The City of Plattsburgh Department of Water and Sewage provides wastewater treatment to the City of Plattsburgh, portions of the Town, the PARC site and three paper mills (Georgia Pacific, Imperial, and Packaging Corporation of America). Wastewater is treated at a waste treatment plant (WPCP) which was constructed in 1973 and is located at the mouth of the Saranac River near Lake Champlain. Treated water is discharged into the Saranac River and flows into the Cumberland Bay portion of Lake Champlain.

The design capacity of the waste treatment plant is 16.0 MGD and it currently maintains an average flow of 7.4 MGD. Over the course of 19 years, the plant treated an average of 9.7 MGD of wastewater, with a maximum of 11.6 MGD and a minimum of 7.3 MGD. Total wastewater treated was 7.6 MGD in 1991, 7.3 MGD in 1992, and 7.4 MGD in 1993. The system has the capacity to treat an additional 4 MGD of domestic wastewater (approximate generation of 30,000 people).

In addition, the City issued a wastewater discharge permit to the PARC site to discharge industrial wastewater to the City sewer system. Wastewater leaves the base at four sub mains: two along U.S. 9, one at U.S. 9 and New York Road, and one northeast of the former Officer's Club. Three sewer outfalls service the northern Capehart housing and U.S. Oval housing, as well as administrative and industrial buildings at the former Plattsburgh Barracks. The sewer outfall at U.S. 9 and New York Road connects to the 21-inch main sewer line that runs along New York Road and serves the PARC site, once called the new base and the southern Capehart housing on Plattsburgh Barracks. The capacity of the treatment plant is 16.0 MGD; however, it is only treating about 8 MGD of wastewater; the sewer system on Plattsburgh AFB is capable of handling a maximum of 1.3 MGD.

The PARC site is serviced by a 21-inch diameter line which is predominantly transite with a cast iron connection. Interconnected 10-inch and 8-inch lines service the base housing, community, and industrial areas. These pipelines are exclusively transite on the main base and predominantly transite, with some cast iron, on Plattsburgh Barracks. The PARC site is served by an 8-inch transite force main. No sanitary sewer system exists west of the flightline and apron area. The scattered facilities in this area are serviced by septic sewer systems. Three sanitary septic systems (golf course

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<sup>13</sup> Sources for this section included the EDZ Program Final Application (February 26, 1988), 2-25, 26, and the Draft Environmental Impact Statement -Disposal and Reuse of Plattsburgh Air Force Base, New York. For additional information, consult: Comprehensive Sewage Study, Plattsburgh and Environs (R.N. Laberge Engineers, 1967); City of Plattsburgh Water Pollution Control Plant, Sewage System Improvements (O'Brien and Gere, 1967); City of Plattsburgh Wastewater Facilities Study (Metcalf & Eddy Engineers, 1981); City of Plattsburgh, Industrial Pre-Treatment Program Application to NYSDEC (Metcalf & Eddy Engineers, 1983); and City of Plattsburgh Water Pollution Control Plant Operations Evaluation (Eder Associates Engineers, 1985).

clubhouse, munitions storage area, and small arms range discharge via absorption fields. Some of the systems service a number of facilities and are interconnected by a combination of vitrified clay and transite pipelines. The City now has ownership of the sewer and water infrastructure and has updated these services.

### **Solid Waste Disposal**

Solid waste is collected by the City of Plattsburgh Department of Sanitation and a private contractor, and disposed of at the Clinton County Solid Waste Department Landfill, which is located in the Town of Schuyler Falls (west of the City of Plattsburgh). The landfill was opened in 1995 and has a 20-year capacity. In 1991, 1992, and 1993 67,439 tons, 56,758 tons, and 55,356 tons, respectively, of solid waste were disposed of at the landfill. The City collects approximately 6 tons of solid waste per day. In 1993, the Plattsburgh AFB generated approximately 5.8 tons of solid waste per day.

### **Transportation Systems**

The City of Plattsburgh is served by an extensive transportation network that includes local, county and state roads, as well as rail, air, bus and ferry transportation. The New York State Northway (I-87) links Plattsburgh to Canada, Albany and New York City. Other major highways include NY Routes 3, 9 and 22. Route 3 (Cornelia Street) is a highly developed, east-west thoroughfare connecting downtown Plattsburgh with SUNY, I-87 and the shopping malls known as Champlain Centre North and Champlain Centre South as well as the Clinton County Airport. Route 9 (Margaret Street), the predecessor of I-87, links Plattsburgh to Ingraham, Chazy and Rouse's Point to the north and Laphams Mills and Ausable Chasm to the south. Route 22 (Catherine Street) runs north-south from I-87 (Exit 38) connecting the city to Beekmantown and West Chazy to the north and Peru to the south. The city is divided in half by the meandering Saranac River. City streets allowing access to Lake Champlain include Nevada Oval, Ohio Avenue, Virginia Road, Jay Street and Cumberland Avenue.

Plattsburgh is served by the Delaware & Hudson Railroad, which provides both passenger and freight service. Passenger service is provided via Amtrak's Adirondack Train, which runs between New York City and Montreal on a twice daily basis, with stops at major towns; connections to other U.S. and Canadian destinations are made in New York City and Montreal. The AMTRAK station is located at the old D & H station on Jay Street, at the edge of the Point Historic District between the city's central business district and the waterfront. Between 1982 and 1992, passenger ridership fluctuated between a high of 9,711 (1982) and a low of 6,758 (1986); 1992 ridership was 9,454 passengers. Freight service is provided by D & H as well as CP Rail, and is extensively used by Plattsburgh manufacturers. The D & H tracks separate much of the base from Lake Champlain.

Plattsburgh residents use the air transportation services (charter flights, commercial airlines, package-and-freight delivery) of Plattsburgh International Airport now located at the former airbase which has much more extensive facilities and capacities, Burlington International Airport in Vermont, and Dorval Airport in Quebec, all of which are fully certified and licensed by the FAA. Facilities at Plattsburgh International Airport include a terminal building and a 11,750' runway. Airport operations include service to various cities in Florida and Myrtle Beach, Sc with Allegiant Air and Direct Air and service to Boston with Cape Air. Burlington International Airport in Vermont maintains a 7,800 foot runway and adequate air traffic communication to be designated as a Class C airport to navigation. Operations at Burlington International include FAA tower, FAA FSS, Pratt & Whitney, Daystar Avionics, Aviatron, Innotech Aviation, Valley Air Services, U.S. Customs, and a passenger terminal complex. The airport also accommodates the Army and Air National Guard units. Scheduled flights are available on international, regional and commuter carriers (United, U.S. Airways, Delta, Air Tran, Jet Blue, Northwest and Continental). The airport at Dorval, Quebec, serving the entire Montreal metropolitan area, also serves many residents of Clinton County.

In addition, Greyhound Bus Lines offers extensive and frequent bus service in Clinton County. Round trips are made daily between New York City and Montreal, including stops in Plattsburgh and Syracuse. The Clinton County Public Transportation provides public transportation to all areas of the county and to areas within the City of Plattsburgh.

The Lake Champlain Transportation Company operates a 24-hour ferry service between Cumberland Head (north of Plattsburgh) and Grand Isle, Vermont. Trips are made year-round every 20 minutes during the day. The same company provides seasonal service from Port Kent, NY to Burlington, VT and from Essex, NY to Charlotte, VT. The ferries are extensively used by commuters and carry passenger cars as well as trucks moving bulk cargo and petroleum products across Lake Champlain. Navigation on Lake Champlain is mostly recreational.

## **G. Historic Resources**

The City of Plattsburgh is extremely rich in historic and cultural resources, including four National Register Historic Districts and 21 individually listed properties (see Map 6). These resources bear witness to the City's military and civilian past and collectively represent a great asset. The City has sought to link these resources by establishing a Heritage Trail adjacent to Lake Champlain which connects major landmarks and points of interest such as the Farmer's Market, Lion's Club Band Shell, City Hall, McDonough Monument, Smith Weed House, Walk Bridge, Saranac River Promontory, Plattsburgh Harbor, Kent Delord House, Riverwalk, Champlain Park and Monument, Site of First Block House, Wilcox Dock, Lozier Auto Works Site, First Air Strip, Site of British Battery, Scotion Creek, Karen Fleury Bike Path, Heritage Trail Pavilion, Native American Site, War of 1812 Veteran Grave Site, City Beach, State Campsite and Crete Civic Center. The well-known architects

John Russell Pope, Marcus F. Cummings, Albert W. Fuller, and William E. Haugaard are all represented by buildings in Plattsburgh.

While not all of these sites are within the LWRP boundary, and few have been formally interpreted, they and the city's numerous other cultural resources represent key assets to waterfront revitalization. As a result, every effort has been made to establish a full listing based on existing inventories and reports. The City's Downtown Future Planning Commission has also noted and emphasized the importance of capitalizing on the city's historic and cultural resources. It is therefore anticipated that these resources will be an important part of any local waterfront revitalization program. As a result, the consultants have included all formally identified resources within the LWRP boundaries and throughout the City.

### **Historic Districts**

**The Point Historic District:** This district, located within the LWRP waterfront revitalization area, is adjacent to the PAFB U.S. Oval Historic District, includes some of Plattsburgh's earliest buildings, and is roughly bounded by Jay, Hamilton, Peru and Bridge streets. The district includes 38 residential buildings built predominantly between 1815 and 1880 by the City's lumber and shipping magnates. As noted on National Register forms, this area figured prominently in the battle of Plattsburgh during the War of 1812. The house at 3 Peru Street served as the headquarters of General Alexander Macomb. A British cannonball remains lodged in the south wall of the house. This house, and the adjacent houses at 7 Peru Street and 17 Macomb Streets, form the earliest concentrated grouping of structures extant in Plattsburgh and reflect the Federal period design characteristics of the region.

**United States Oval Historic District:** (Located within the LWRP waterfront revitalization area). A 53-acre property with 26 late 19th- and early 20th-century Queen Anne and Colonial Revival barracks, officers' quarters, and associated buildings surrounding large parade ground; built 1893-1934 as a component of Plattsburgh Barracks, United States Army Reservation.

**Brinkerhoff Street Historic District:** A 1-block residential district with 13 properties located on Brinkerhoff Street between Oak and North Catherine streets. These structures reflect the mid-nineteenth century architectural tastes of Plattsburgh's middle class and were generally built by merchants, manufacturers and professionals.

**Court Street Historic District:** A 4-block residential neighborhood located along Court Street between Oak and Beekman Streets with 54 buildings dating mainly to the late 19th and early 20th centuries. The District includes many large Queen Anne and Colonial Revival residences which reflect the taste and prosperity of the late nineteenth century, with most structures built by the City's more prosperous merchants, bankers, lawyers and doctors.

## Historic Structures

Historic structures within the LWRP boundary include:

1. William Bailey House: 176 Cornelia Street. Small vernacular stone residence built c. 1825.
2. John B. Carpenter House: 42 Prospect Avenue. Modest vernacular stone residence built c. 1845.
3. City Hall: City Hall Place. A 2-story Neoclassical limestone-clad building with pedimented portico and copper-clad dome; designed by John Russell Pope; built 1917.
4. Clinton County Courthouse Complex: 135 Margaret Street. Monumental Richardsonian Romanesque brick and stone building with square central tower; designed by Marcus F. Cummings; built 1889. Adjacent Italianate brick Chamber of Commerce (1885; attributed to Marcus F. Cummings).
5. House at 56 Cornelia Street: Greek Revival residence built c. 1850.
6. Delaware & Hudson Railroad Complex: Bridge Street. Queen Anne/eclectic brick railroad passenger station with elaborate decoration; designed by Albert W. Fuller; built 1886 by David Van Schaick. Also includes repair shop and switching building built 1893 by James Ackroyd.
7. D'Youville Academy: 100 Cornelia Street. Large 2-1/2 story Second Empire brick building built c. 1878 as school and nunnery by Gray Nuns of Ottawa, Canada.
8. First Presbyterian Church: 34 Brinkerhoff Street. Monumental Victorian Gothic limestone church designed by Frederick W. Brown; built 1868-73.
9. Fort Brown Site: Northwest of junction of Elizabeth Street and NY9. This site represents one of 3 defensive redoubts constructed by American forces prior to the September 1814 Battle of Plattsburgh during the War of 1812. Now part of Plattsburgh Bay National Historic Landmark.
10. W.W. Hartwell House & Dependencies: (Regina Maria Retreat House) 77 Brinkerhoff Street. Second Empire stone residence built c. 1870 for prosperous merchant. Includes carriage house, groundskeeper's cottage, and landscaped grounds.
11. Hawkins Hall: Beekman Street, State University of New York at Plattsburgh. Large 2-story Collegiate Gothic stone building designed by William E. Haugaard; built 1932 as State Normal School.
12. Kent-Delord House: 17 Cumberland Avenue. Federal frame residence built 1797 for Captain John Bailey, early settler in northern New York State; Nathan Averill, builder. Later home of James Kent, Justice of Supreme Court of New York and Henry Delord, leading citizen of Plattsburgh. Museum.
13. Paul Marshall House: 24-26 Cornelia Street. Federal stone and brick residence built c. 1828.

14. Old Stone Barracks: Rhode Island Avenue, Plattsburgh Air Force Base. Large 2-story stone barracks with full-width 2-story wood veranda; built in 1838 as military housing.
15. Charles C. Platt Homestead: 96-98 Boynton Avenue. Federal brick residence built c. 1802 by Charles C. Platt. Only remaining structure in Plattsburgh associated with Platt family, who were instrumental in development of city.
16. Plattsburgh Bay: Cumberland Bay (also in town of Plattsburgh). Three sites related to naval and land engagement of September 11, 1814, between American forces under command of General Alexander Macomb and Lieutenant Thomas McDonough, and British Forces, under command of General George Prevost, which drove the British from Champlain Valley near end of War of 1812. Sites include Plattsburgh Bay, Fort Brown Site (individually listed), and McDonough Monument (1926, John Russell Pope).
17. Z. Ritchie House: 26 South Catherine Street. Gothic Revival residence built c. 1860.
18. St. John the Baptist Roman Catholic Church and Rectory: 20 Broad Street. Gothic revival stone church with multi-spired tower and buttresses; designed by Victor Borgeau of Montreal; built 1874. Adjacent rectory with French-Canadian "Quebecquois" decorative elements; built 1909-10.
19. S.F. Vilas Home for Aged & Infirm Ladies: Beekman and Cornelia streets. Large Queen Anne brick building designed by Marcus F. Cummings; built 1889.
20. W.G. Wilcox House: 45-51 Lorraine Street. Large Eastlake frame multiple dwelling built c. 1888 by owner of local coal and wood business.
21. Winslow-Turner Carriage House: 210 Cornelia Street. Italianate brick building with hipped roof and cupola; built 1876.

## **H. Topography and Geology**

The City of Plattsburgh is located on a relatively flat plain which extends from Lake Champlain to the foothills of the Adirondack Mountains (See Map 7). The terrain slopes gently toward the lake and is quite swampy in the northern end of the city. At the southern end of the city, the terrain is very steep with sheer bluffs plunging to the Lake. Glacial till and clay soils, underlain by sedimentary rocks, predominate in Clinton County; heavy clay soil prevails within the city proper. The Plattsburgh LWRP study area has a varied topography including both lakeshore and riverbank slopes. The Plattsburgh LWRP boundary includes the Saranac River corridor in the north central area and the Dead (Scotion) Creek outlet in the north area.

A broad plain exists along the central meander of the Saranac River called "the Flats." In this area, the riverbank is a wide and very gently sloping floodplain that eventually slopes steeply up to the city's upland elevation. The defining contour for the upland area is at about 120' AMSL. High points

in the city occur outside of the Plattsburgh LWRP area in the north and west parts of the City at about 270' AMSL. The north side of the river mouth is a steep embankment and plateau. In contrast, low lying shore exists south of the point where the Saranac River empties into Lake Champlain. This striking land feature is separated from the upland plateau by a distinct slope and is called "the Point."

Scoured during the latest period of glaciation several thousand years ago, the Lake Champlain shoreline varies from a steep escarpment in the south portion of the LWRP study area to a gently sloping beach in the north portion of the LWRP study area. Besides the frequently-flooded beach area and narrow band of wetlands that define the north and west shoreline of Cumberland Bay, there are two other low lying areas. These are projections of land contiguous with and terminating the low north shore of Cumberland Bay. The spits of land are called the "Wilcox Dock" area. In general, all lake, river, and creek shorelines include a steep embankment ranging from approximately 10% to 45% slopes. The maximum total change of elevation is approximately 40 vertical feet in some notable lakeshore areas south of Jay Street. This steep escarpment is oriented to offer dramatic southeasterly and easterly views. It is unstable, subject to erosion, and buffeted by unrelenting strong winds.

The soil types vary throughout the study area from sandy north shore, urban land and Udorthents fill in the central shore and along most of the Saranac River, alluvial deposits in the Saranac flood plain, and gravelly excessively well-drained soil with boulders in the south. Correspondingly, the shoreline character based on those soils varies from north to south. This character includes variations from north to south: natural dunes and wetlands; to disturbed beach, to hardened, stabilized, and filled edges; to unstable, landslide-collapsed escarpment.

There is one offshore feature, a rip-rap breakwater with navigation lights at each end. The breakwater is located about fifteen hundred feet from land and oriented southeast, and intended to protect the marina at "the Point". However, it is easily breached during high water seasons and annual storms.

## **I. Water Quality**

The Saranac River is classified C(T) by the New York State Department of Environmental Conservation. The water quality "C" classification means that this water is suitable for fishing and fish propagation. The "T" suffix indicates that the river supports trout.

Lake Champlain in the study area has a B classification from the New York State Department of Environmental Conservation. A water quality rating of C has been established for Dead (Scomotion) Creek. Dead Creek flows through a large wetland habitat just north of the City boundary. This wetland helps to slow movement of sediment and water-borne nutrients from rural runoff, acting as a natural filter that helps to mitigate negative impacts on Lake Champlain water quality.

The City Sewage Treatment Plant (Water Pollution Treatment Center) is located in the study area on the south shore at the juncture of the Saranac River with Lake Champlain. Treated effluent is discharged directly into Lake Champlain and dissipated by current from the Saranac River. The Imperial Wallpaper Company and other industrial uses located on the Saranac River do not appear to significantly impact the water quality downstream. Pollution from the paper mills is handled by the Water Pollution Treatment Center. One other major point source for treated discharge is the Georgia Pacific Paper Company located on the west side of Cumberland Bay north of Wilcox Dock in Subarea 2.

The primary impacts on water quality may be assumed to result from stormwater runoff. This takes the form of non-point source urban runoff and rural runoff from upstream locations. In general, water quality for the Saranac River and Lake Champlain within the LWRP study area is good and is not expected to pose constraints on future waterfront development.

## **J. Environmentally Sensitive Features**

This section describes land and water resources within the waterfront area which either represent a hazard to future development or are sensitive to developmental activities. These features include steep slopes, wetlands, and flood prone areas and are displayed on Map 7. Wetland areas exist in the waterfront area east of West Bay Plaza, at the Georgia Pacific properties, and adjacent to the Nevada Oval housing on the former Plattsburgh AFB (Federally Regulated Wetland).

The escarpment in the south portion of the LWRP lake coast area is environmentally sensitive because it is unstable. The steep drop from the upland area to the lake surface is prone to erosion, slumping, and even collapse. The bluff area is undevelopable. Upland areas east of the existing railroad tracks and adjacent to the escarpment may require stabilization or reinforcement before development can occur.

The wetlands in the north lake coastal portion of the LWRP study area are environmentally sensitive because they are relatively fragile. The low lying, frequently wet soils are located in the North End and Wilcox Dock subzones in the cove-like area between the West Bay Plaza commercial area and the Georgia Pacific lands adjacent to Wilcox Dock; a federally-regulated wetland area is located in the coastal area adjacent to the Nevada Oval housing of the former PAFB.<sup>14</sup> These areas are inappropriate for development and should be protected. Any attempts to alter the softness of the

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<sup>14</sup> Disposal and Reuse of Plattsburgh Air Force Base, New York, Draft Environmental Impact Statement, July, 1995; p. 3-119.

soils by filling, draining, or other disturbance, is illegal. The wetlands are subject to federal and state regulations including review and permitting of any proposed actions. Development can occur only with applicable U.S. Army Corps of Engineers and NYSDEC approvals and permits.

The study area contains habitat, perhaps within the wetland areas, that may support one or more of the rare plants that occur in the vicinity. These species include the Houghton Umbrella Sedge and are protected by state law from disturbance. Areas for proposed action must be surveyed for endangered or threatened plants before undertaking development. Presence of rare or endangered plants precludes development where they occur.

The Saranac River floodplain is environmentally sensitive and is unstable. Development within the floodplain is not recommended due to flood hazard. The 100-year floodplain for the Saranac River has been designated by the Federal Emergency Management Agency and represents a significant but calculated development constraint, i.e. a flood will occur once in 100 years. The immediate river shoreline is flood prone but the floodway does not extend beyond the 150' contour line, or less than 500 feet from the river.

Map 7 – Environmental Features



Lake Champlain is environmentally sensitive because it is shallow within the city boundary. The depth to the bottom rarely exceeds eighteen feet and is less than ten feet deep for most of the study area when the water surface is calm. These depths vary considerably with regional rainfall cycles (e.g., the 1995 drought left both river and lake water levels unusually low). Water depth also varies with wave action, especially in combination with high wind speeds. Moisture-laden high winds from the southeast are not unusual, but light westerly winds are the norm. Semi-annual severe storms pose a significant development constraint along exposed southeast-oriented shore areas.

The shallow water within the study area may be especially sensitive to water borne pollutants, siltation, weed growth, or infestation during population blooms (e.g., freshwater snails). The shallow water may require attentive maintenance such as regular systematic weed harvesting, shoreline grooming, or removal of storm debris for some water uses. Zebra mussels have impacted the shallow water building up on submerged rocks and docks.

The shallow lake areas freeze to a thickness in excess of six inches during the winter months. The seasonal freeze/thaw cycles pose a significant development constraint for all immediate shore areas on both waterside and landside. Large sections of ice and frozen snowpack from the lake surface may pose a hazard in combination with occasional severe spring storms. In addition, the shallow lake and river waters are considered Waters of the United States and are classified as navigable waterways. Development in the water is subject to U.S. Army Corps of Engineers permitting and approval process for any proposed actions in navigable waterways, including temporary installations such as coffer dams.

## **K. Fish Resources**

The entire Lake Champlain Basin supports abundant and diverse warm water fish populations. A fisheries survey conducted by the New York State Department of Environmental Conservation during the mid-1980s identified approximately 58 fish species within the Lake. The most popular species in the Cumberland Bay area are Lake Trout, Steelhead Trout, Landlocked (Atlantic) Salmon, Smelt, Walleye, Largemouth Bass, Smallmouth Bass, Northern Pike, Chain Pickerel, Muskellunge, and Yellow Perch. The fish population is expected to thrive in the foreseeable future owing to control of the Sea Lamprey population. Lake Champlain is the sixth largest freshwater lake in the continental U.S. and is one of its most popular fishing destinations. State-owned boat launches exist at Peru, Port Au Roche and the Great Chazy River within Clinton County. In the City of Plattsburgh, boat launches exist at the Plattsburgh Boat Basin and at the mouth of the Saranac River at Green Street and a fishing dock (handicapped accessible) is located just below the McDonough Monument on the Saranac River. Shoreline and ice fishing are also popular in season.

## **L. Scenic Views**

According to a 1987 survey undertaken by the President's Commission on Americans, scenic beauty is ranked as the most important criterion Americans use in choosing parks and recreation areas. Support for this finding can easily be found in the high automobile counts on scenic highways such as the Skyline Drive and Blue Ridge Parkway in Virginia and North Carolina.<sup>15</sup>

Given its location on Lake Champlain between the Adirondack Mountains of New York State and the Green Mountains of Vermont, Plattsburgh has an abundance of scenic views which should be identified and protected. Beautiful views of Lake Champlain can be seen from points all along the waterfront, but particularly from the City Beach, Wilcox Dock, from the area at the foot of Point Historic District, the marina, and Sailor's Beach at the former PAFB. The City Beach also provides excellent views back to the city.

## **M. Zoning**

### **Zoning District Classifications and Analysis by Subarea**

The City of Plattsburgh Zoning Ordinance has been in effect since 1981, with revisions in 1983, 1988 and 2001 (see Map 8). The zoning ordinance was updated as part of the development of a new Master Plan for the City, by The Saratoga Associates. Zoning changes in the waterfront revitalization area were adopted by the Planning Board and are described further in Section VI, Local Techniques for Implementation.

For the most part, the existing zoning establishes districts which support fairly stable existing uses, but some refinements and enhancements are needed to accommodate planned future waterfront development and insure the protection of existing resources. Such development can be expected to take place in all of the LWRP subareas and adequate protection for the waterfront and related resources should be adopted in anticipation of such development.

Along the waterfront, most land is zoned residential, reflecting current land use patterns. The general purpose of the zoning ordinance is "promoting the health, safety, morals, convenience, order, prosperity and general welfare of the community." **The City of Plattsburgh Zoning Ordinance**

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<sup>15</sup> Stokes, Samuel N. and A. Elizabeth Watson, Genevieve P. Keller, and J. Timothy Keller, [Saving America's Countryside](#) (Baltimore and London: The Johns Hopkins University Press, 1989) 42.

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consists of **seven** classification districts (R-1, R-2, B-1, B-2, C, I, RC-1, RC-2, RC-3, RH). The LWRP Waterfront Revitalization Area currently contains the following zoning districts:

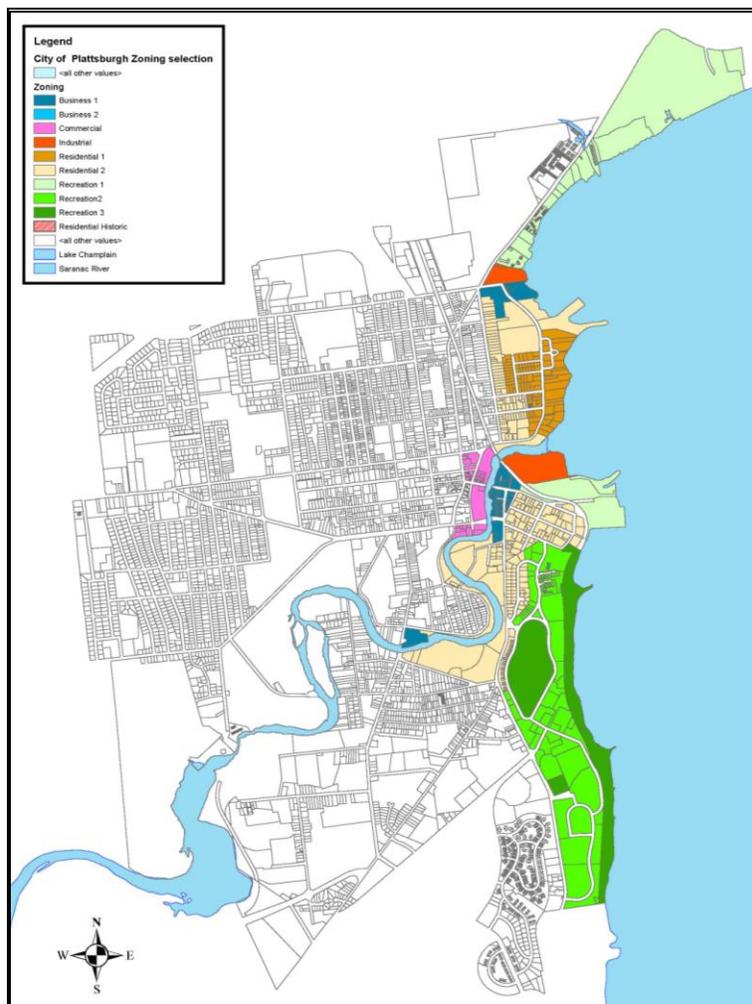
- *The Waterfront Overlay District:* The Waterfront District Zone overlays the underlying zoning district. The zoning regulation of the underlying zoning district applies to all land within the Waterfront District, except as modified, or permitted to be modified, by the Waterfront District zoning regulations. All new construction and additions require Planning Board approval of a site plan. The purpose of the guidelines is to encourage the establishment of Public Viewshed areas to provide unobstructed views to Lake Champlain.
- *R-1- Low Density Residential:* Principal permitted uses include single family residences, churches or other houses of worship, elementary and high schools, public parks and recreation facilities. Accessory uses include home uses as permitted and other uses customarily accessory to residential uses, as well as agricultural uses. Uses requiring special permits include cemeteries, essential public utility facilities, country clubs, private clubs, and nursing and rest homes.
- *R-2 - General Residential:* Permitted uses in R-2 districts include: single family residences, two family residences, three family residences, multi-family residences, townhouse residences, churches or other houses of worship, elementary and high schools, and public parks and recreation facilities. Accessory uses include home uses as permitted and other uses customarily accessory to residential uses, as well as agricultural uses. Uses requiring special permits include: universities or colleges, neighborhood and convenience-type commercial facilities, cemeteries, hospitals and medical and dental clinics, essential public utility facilities, private clubs, nursing and rest homes, funeral homes, residential planned unit developments, nursery schools and day-care facilities, and professional offices.
- *B-1 - General Business:* Permitted uses include retail businesses and commercial uses commonly associated with neighborhood and community shopping areas, such as: grocery stores, food specialty shops, and supermarkets; drug stores; hardware stores; apparel stores; general department stores; appliance, home decorating and furniture stores; book and stationery stores; photographic studios and art galleries; similar uses; personal and business service establishments such as: banks, professional and administrative offices; medical and dental clinics; barber and beauty shops, laundry establishments, repair shops for shoes, watches, clocks, appliances and similar uses; eating establishments not serving alcoholic beverages; hotels and motels; churches and other houses of worship; schools, excluding daycare and nursery facilities; government, semi-public and/or public institutional uses; private clubs; funeral homes; nurseries and suppliers of flowers and/or plants; and newspaper publishing facilities. Accessory uses include parking and loading areas and other uses customarily accessory to permitted uses. Uses requiring special permits include: automobile service stations and repair shops, eating and/or drinking establishments where

alcoholic beverages are served; liquor stores; essential public utility facilities; automobile agencies; tractor, trailer, and boat sales establishments; building supply stores; television and radio broadcast facilities; hospitals; shopping centers; warehouses and storage facilities; drive-in businesses; dry-cleaning businesses; amusements and recreational facilities; residential uses in B-1 districts only.

- B-2 - Highway Business: same as B-1.
- C - Central Business: Permitted uses include retail businesses and commercial uses commonly associated with neighborhood and community shopping areas such as: grocery stores, food specialty shops and supermarkets; drug stores; hardware stores; apparel stores; general department stores; appliance, home decorating and furniture stores; book and stationery stores; photographic studios and art galleries; similar uses; personal and business service establishments such as: banks, professional and administrative offices; medical and dental clinics; barber and beauty shops, laundry establishments, repair shops for shoes, watches, clocks, appliances and similar uses; eating establishments not serving alcoholic beverages; hotels and motels; churches and other houses of worship; schools, excluding daycare and nursery facilities; government, semi-public and/or public institutional uses; private clubs; funeral homes and efficiency and one-bedroom residential uses above the first floor level. Accessory uses include parking and loading areas and other uses customarily accessory to permitted uses. Uses requiring special permits include: automobile service stations and repair shops, eating and/or drinking establishments where alcoholic beverages are served; liquor stores; essential public utility facilities; automobile agencies; tractor, trailer, and boat sales establishments; building supply stores; television and radio broadcast facilities; hospitals; shopping centers; warehouses and storage facilities; drive-in businesses; dry-cleaning businesses; amusements and recreational facilities; and central business district planned unit developments.
- I – Industrial: Permitted uses include manufacturing, assemblage, processing and storage operations that are not offensive by reason of the emission of odor, fumes, dust, smoke, noise and/or vibration or that would have a negative impact on the environment or living conditions within the city; research laboratories; warehouses and wholesale and retail distribution centers, including offices and showrooms; trucking terminals; food processing, packing, and storage operations; bottling plants; and public facilities. Accessory uses include: parking and loading areas; sale and service of products manufactured or assembled as a principal use; other customarily accessory uses; administrative offices and office buildings; and outdoor storage areas. Uses requiring special permits include other industrial uses but not including: junkyards and automobile salvage yards, cement manufacturing operations, petroleum storage facilities; eating establishments serving the area and not serving alcoholic beverages; energy production, solid waste and resource recovery facilities.

- **RC - Recreation and Related Uses:** The RC classification includes a variety of permitted uses including multi-family residences, townhouse residences, hotels and motels, eating and drinking establishments, indoor and outdoor commercial recreation, public recreation and related facilities, retail businesses and commercial uses commonly associated with recreation-related and tourist areas, and personal and business services establishments. Accessory uses include parking and loading areas, pedestrian walkways, beach and related facilities, retail sales and services incidental to a permitted use, and customarily accessory uses to the principal uses permitted. Uses requiring special permits in this area include amusement parks, facilities and concessions, essential public utilities, eating and drinking establishments serving alcoholic beverages, drive-in businesses, and recreation vehicle campgrounds.

Map 8 - Existing Zoning



All districts except B-2 are located within the Waterfront Revitalization Area. A description of the existing zoning within the LWRP subareas is as follows:

### **North End Subarea**

The entire North End subarea is zoned Recreation and Related Uses (RC) except for the large parcel owned by Georgia Pacific, which is zoned Industrial (I). Uses in this zone consist of the primarily recreational Municipal Beach, Crete Memorial Civic Center and Heritage Trail areas north of Scotion Creek, and low-density private residential and commercial development at Plattsburgh Eye Associates and West Bay Plaza. The zoning classifications in this subarea are generally appropriate.

### **Cumberland Avenue/Wilcox Dock Subarea**

The northern half of this subarea is zoned R-2 (general density residential), including Wilcox Dock and the adjacent Georgia Pacific Lands. The southern half of this subarea is zoned R-1 (low-density residential), reflecting the fact that more than half of the land in this area is occupied by prime housing on large lots. It should be noted that the extreme southern end of this subarea, which includes the banks of the Saranac River, is zoned R-1 (north bank of river).

### **Marina Subarea**

This subarea is occupied by the water treatment plant, Dock St. Landing, Plattsburgh Boat Basin, Point Historic District and the Central Business District. The northernmost area along the banks of the Saranac River is occupied by the water treatment plant and is currently zoned industrial (I). The area formerly occupied by the former CP Railyards is zoned RC, recreation and related uses. The Point Historic District area is zoned R-2 (general residential). The Central Business District is zoned B-1.

### **Old Base Subarea**

This entire subarea is currently zoned RC. Land uses in the portion of the former base that lies within the LWRP boundaries remain essentially the same. The Old Base portion of the former Plattsburgh Air Force Base, which is the area adjacent to Lake Champlain, is 90% redeveloped or privately owned. The rezoning and re-use of the area is mainly divided into four re-use groups.

1. Residential – 173 dwelling units are already occupied and 149 are under construction.
2. Southern portion of the area has been redeveloped into a 3-phase progressive care facility for the aging population. Lake Forest, an independent living center, and Pine Harbor, an assisted living center, are already in operation. A nursing home is in pre-construction phase

3. Professional Offices – services that provide legal, educational, personnel, real estate and employment.
4. Museum Complex

## **N. Summary of Key Waterfront Issues**

Based on the existing condition analyses carried out as part of the Inventory and Analysis section, key waterfront issues include:

1. Decreasing wetland area endangerment and improving conservation efforts, while at the same time, recognizing these areas as true natural resources;
2. Implementing erosion control measures to save shoreline areas and improve safety in the North End subarea and PARC subarea;
3. Improving public access by enhancing existing areas and creating new access points, particularly at Dock St. Landing, Wilcox Dock, the Point, and the Old Base site, which have been identified as priority areas for revitalization;
4. Continue mitigation of areas of PCB (and other toxic material) contamination in partnership with various City industries, applicable New York State agencies, and others;
5. Strengthening linkages between the waterfront and downtown, focusing on the Dock/Bridge Street corridor, but also seeking to connect the subareas to one another through signage, interpretation and other efforts;
6. Raising public awareness of both the City's and Lake Champlain's cultural and natural resources;
7. Protecting existing resources, such as the Saranac River, historic resources, and the magnificent resources of Lake Champlain.

In general, it is anticipated that waterfront revitalization could act as a catalyst to the revitalization of the entire city. In pursuing its redevelopment options, the City will need to balance the needs of local residents with the best interests of the City. Recent studies undertaken by both the City and the Lake Champlain Basin Program indicate a need for careful planning to address continuing population growth, increasing use of Lake Champlain, increasing user conflicts, and the predicted effects of growth on the entire Lake Champlain basin. The City has also recognized the need to work closely with private property owners and to develop partnerships and establish connections between various community resources and groups.

Perhaps the greatest issue is the City's growing need to use its unrivaled location and substantial Lake Champlain waterfront area; Plattsburgh needs to convert its numerous underutilized waterfront areas to vibrant, publicly accessible destinations for the economic benefit and enjoyment of its residents and visitors while protecting Lake Champlain for future generations

## **Section III Waterfront Management Policies**

The City of Plattsburgh Waterfront Policies presented in this chapter considers the economic, environmental, and cultural characteristics of the City of Plattsburgh's waterfront area. The policies are comprehensive, and reflect existing state laws and authorities. As noted in NYS Department of State guidelines, they represent a balance between economic development and preservation that will permit beneficial use of and prevent adverse effects on Lake Champlain and the Saranac River waterfront resources.

The policies are the basis for consistency determinations made by state and federal reviewers for actions affecting the City of Plattsburgh waterfront and Lake Champlain Basin and as a guide for development of new Local Waterfront Revitalization Programs and revisions to approved Local Waterfront Revitalization Programs.

The waterfront policies are organized under five headings: regional character; economic development; recreation and culture; natural resources; and environmental health and energy. The following is a summary list of the City of Plattsburgh Waterfront Management Policies:

### **Developed Waterfront Policies**

- Policy 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.
- Policy 2 Preserve historic resources of the waterfront area.
- Policy 3 Enhance visual quality and protect scenic resources the waterfront area.

### **Natural Waterfront Policies**

- Policy 4 Minimize loss of life, structures, and natural resources from flooding and erosion.
- Policy 5 Protect and improve water quality and supply in the waterfront area.
- Policy 6 Protect and restore the quality and function of the waterfront area ecosystem.
- Policy 7 Protect and improve air quality in the waterfront area.
- Policy 8 Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.

### **Public Waterfront Policies**

- Policy 9 Provide for public access to, and recreational use of, waterfront waters, public lands, and public resources of the waterfront area.

**Working WATERFRONT Policies**

- Policy 10 Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.
- Policy 11 Promote sustainable use of living marine resources in the waterfront area.
- Policy 12 Protect agricultural lands in the waterfront area.
- Policy 13 Promote appropriate use and development of energy and mineral resources.

**A. Developed Waterfront Policies**

**Policy 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, increases opportunities for public access, and minimizes adverse effects of development.**

Much of the Plattsburgh waterfront area is characterized by deteriorated structures, underutilized open space lands adjacent to Lake Champlain and the Saranac River and physical barriers such as railroad right-of-ways. Since the waterfront is located immediately adjacent to Plattsburgh's central business district, and represents the dominant feature of the city, it is expected that carefully planned waterfront revitalization in this location can stimulate and support additional economic development initiatives. The potential stimulus of waterfront revitalization becomes even more significant given the implications of the redevelopment of the Old Base site and Dock St. Landing.

**1.1. Concentrate development and redevelopment in order to revitalize deteriorated and underutilized waterfronts and strengthen the traditional waterfront focus of a community.**

Areas with excellent potential for waterfront revitalization projects include the Dock/Bridge street area including Dock St. Landing, the mouth of the Saranac River, and the Wilcox Dock area.

- A. The following planning principles should be used to guide investment and preparation of development strategies and plans:
  - 1. Scale development to be appropriate to the setting.
  - 2. Design development to highlight existing resources, such as local history and important natural and man-made features to reinforce community identity. Design features as a focus for activity that draw people to the waterfront and site design links the waterfront to upland portions of the community.

3. Meet community and regional needs and market demands when making development choices.
  4. Recognize environmental constraints as limiting development.
  5. Restore environmental quality to degraded areas.
- B. All development or uses should recognize the unique qualities of a waterfront location by:
1. Using building and site design to make beneficial use of a waterfront location and associated waterfront resources
  2. Minimizing consumption of waterfront lands and potential adverse impacts on natural resources
  3. Limiting shoreline alteration and surface water coverage.
  4. Incorporating recreational activities, public access, open space, or amenities, as appropriate to the use, to enhance the site and the surrounding community, and to increase visual and physical access to the waterfront.
  5. Attracting people to the waterfront, as appropriate to the use.
  6. Ensuring that design and siting of uses and structures complements the surrounding community and landscape.
  7. Use indigenous plants as components of landscape design to improve habitat and water quality, and to lessen water demand.
  8. Reinforcing community identity by highlighting local history and important natural and man-made features.

**1.2. Ensure that development or uses make beneficial use of their waterfront location.**

Water-dependent uses: The water-dependent uses in Plattsburgh are the municipal beach, the fishing dock at the McDonough Monument, and the marina and tour boat facility at the foot of Dock Street. These uses are further described in the Inventory and Analysis.

- C. Water-dependent uses should be promoted where appropriate and given precedent over other types of development at suitable waterfront sites. Existing water dependent uses should be protected.
- D. Development which is not dependent on a waterfront location, or which cannot make beneficial use of a waterfront location should be avoided.

Water-enhanced uses: Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature. The water-enhanced uses in Plattsburgh are the waterfront trails and walks, the restaurant at the marina and various waterfront parks. These uses are further described in the Inventory and Analysis section of this LWRP.

- E. Water-enhanced uses may be encouraged where they are compatible with surrounding development and are designed to make beneficial use of their coastal location. To ensure that water-enhanced uses make beneficial use of their waterfront location, they should be sited and designed to:
  - 1. Attract people to or near the waterfront and provide opportunities for access that is oriented to the coast.
  - 2. Provide public views to or from the water.
  - 3. Minimize consumption of waterfront land.
  - 4. Do not interfere with the operation of water-dependent uses.
  - 5. Not cause significant adverse impacts to community character and surrounding land and water resources.
  
- F. Uses should be avoided which would:
  - 1. result in unnecessary and avoidable loss of waterfront resources
  - 2. ignore their waterfront setting as indicated by design or orientation, and
  - 3. do not, by their nature, derive economic benefit from a waterfront location

**1.3. Protect stable residential areas.**

The provision of this policy is applicable pertaining particularly to the Point residential area and Cumberland Avenue.

- G. New uses in a stable residential area should be avoided when the use, its size and scale will significantly impair neighborhood character. New construction, redevelopment, and screening, such as fences and landscaping, should not reduce or eliminate vistas that connect people to the water.

## Policy 2

### **Preserve historic resources of the waterfront area.**

The City of Plattsburgh and Lake Champlain abound with historic and cultural resources, both on land and underwater. These resources represent many themes, including Native American resources; early settlement; the Revolutionary War and War of 1812; transportation, commerce, military and maritime history, agriculture, industries, community development and culture, government, tourism and recreation. In addition, the City is home to numerous buildings designed by notable American and New York State architects, including the City Hall built by John Russell Pope (architect of the National Gallery of Art and Jefferson Memorial in Washington, D.C.), Marcus Cummings, Albert W. Fuller, and Charles W. Platt. These irreplaceable and nonrenewable resources should be recognized and treated as assets, since they form the basis of the community's unique sense of place. Helping a community discover its history can be a key to reestablishing a feeling of pride among residents. This, in turn, leads to investment of hard-earned dollars in local real estate and business.

In addition, it should be noted that since the passage of the National Historic Preservation Act of 1966 (as amended in 1992) and the NYS Heritage Areas Act (1994, and NYS Urban Cultural Parks legislation, 1982), historic preservation, arts and culture are increasingly identified as strong weapons in the economic development arsenal. Data compiled by the Field Services Bureau of the New York State Office of Parks, Recreation and Historic Preservation indicates that preservation related programs and funding are strong economic catalysts, generating \$55 million of private investment in 1994 and nearly \$2 billion since such programs began in 1976. However, in Plattsburgh and throughout the Lake Champlain basin, historic and cultural resources are degraded, undervalued, and frequently overlooked.

By recognizing the value of historic and cultural resources and preserving their character, the community is effectively protecting its unique sense of place; consequently, the protection of these resources must include concern not only with specific sites, but with areas of significance and the area around specific sites. In recognition of this fact, the provisions of this policy are intended to apply to the Point Historic District, the U.S. Oval Historic District, the Brinkerhoff Street Historic District, the Court Street Historic District, and numerous other structures and sites listed (or eligible for listing) on the state and national registers of historic places, and zones of archaeological sensitivity located throughout the waterfront area, including underwater maritime remains. See Section 2-G "Historic Resources" of the Inventory and Analysis for a detailed description of historic and cultural resources.

With respect to its historic and cultural resources, and their collective potential to stimulate waterfront and community revitalization, the City will continue to promote good stewardship and preservation. In particular, the rehabilitation and adaptive reuse of vacant and/or underutilized industrial structures represents a key component in the revitalization of the waterfront.

To further both this goal and waterfront revitalization efforts, the City will seek to establish or strengthen incentives for the protection, preservation, or rehabilitation of its resources, and to eliminate mechanisms which encourage demolition and degradation of historic and cultural resources. The rehabilitation of Plattsburgh's historic structures and sites shall be encouraged, and shall be undertaken in a manner which preserves historic elements and character. New construction shall be generally compatible in terms of design and materials with the historic character of the area to the maximum extent practicable; the City shall look to the U.S. Secretary of Interior's Standards for guidance (in compliance with The City of Plattsburgh Zoning Code). In regard to activities which involve excavation of land within zones of archaeological sensitivity, public agencies will contact the New York Office of Parks, Recreation and Historic Preservation and/or the Preservation League of New York State to determine appropriate protective measures for archaeological resources.

**2.1 Maximize preservation and retention of historic resources.**

The provisions of this policy are applicable and further described in the above policy explanation and the Inventory and Analysis. These standards are derived from and explain the U.S. Secretary of the Interior's Standards for Identification, Restoration, and Rehabilitation of historic resources. Consult the Secretary of the Interior's standards for additional detail on specific aspects of historic preservation. Historic resources are those structures, landscapes, districts, areas or sites, or underwater structures or artifacts which are listed or designated as follows:

- any historic resource in a federal or state park established, solely or in part, in order to protect and preserve the resource
  - any resource on, nominated to be on, or determined eligible to be on the National or State Register of Historic Places
  - any cultural resource managed by the New York State Nature and Historic Preserve Trust or the New York State Natural Heritage Trust
  - any archaeological resource which is on the inventories of archaeological sites maintained by the New York State Department of Education or the Office of Parks, Recreation, and Historic Preservation
  - any locally designated historic or archaeological resources protected by a local law or ordinance
- A. Identify those elements important in defining the character and value of a historic resource.
1. Use designation information, available documentation, and original research to identify important character-defining elements of the historic resource in terms of its: time, place, and use; materials, features, spaces, and spatial relationships;

setting within its physical surroundings and the community; and association with historic events, people, or groups. Determine the value of the historic resource as indicated by:

- a. Its membership within a group of related resources which would be adversely impacted by the loss of any one of the group of resources
  - b. The rarity of the resource in terms of the quality of its historic elements or in the significance of it as an example, or
  - c. The significance of events, people, or groups associated with the resource
- B. Preserve and retain the historic character-defining elements of the resource. Use the following standards to achieve the least degree of intervention.
1. Protect and maintain historic materials and features according to the following approach:
    - a. Evaluate the physical condition of important materials and features.
    - b. Stabilize materials and features to prevent further deterioration.
    - c. Protect important materials and features from inadvertent or deliberate removal or damage.
    - d. Ensure the protection of historic elements through a program of nonintrusive maintenance of important materials and features.
    - e. Repair historic materials and features according to recognized preservation methods when their physical condition warrants.
    - f. When a historic feature is missing or the level of deterioration or damage precludes maintenance or repair:
    - g. Limit the replacement of extensively deteriorated features or missing parts to the minimum degree necessary to maintain the historic character of the resource.
    - h. Maintain historic character where a deteriorated or damaged feature is replaced in its entirety. In replacing features, the historic character of the resource can be best maintained by replacing parts with the same kind of material. Substitute materials may be suitable if replacement in kind is not technically or economically feasible and the form, design, and material convey the visual appearance of the remaining parts of the feature.

- i. When re-establishing a missing feature, ensure that the new feature is consistent with the historic elements of the resource. If adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, use available documentation to design and construct a new feature. If adequate documentation does not exist, design and construct a new feature that is compatible with the remaining features of the resource. The new design should be based on research, pictorial, and other evidence so that a true historical appearance is created.
2. Provide for efficient, compatible use of the historic resource.
3. Foster uses that maximize retention of the historic character of the resource:
  - a. Maximum retention of historic character is best achieved by using the resource as it was historically used.
  - b. If the resource cannot be used as it was historically used, adapt a use to the historic resource that maximizes retention of character-defining materials and features.
4. Minimize alterations to the resource to preserve and retain its historic character.
5. Minimize potential negative impacts on the resource's historic character due to necessary updates in systems to meet health and safety code requirements or to conserve energy.
6. Make alterations to the resource only as needed to ensure its continued use and provided that adverse impact on the resource is minimized. Alterations should not obscure, destroy, or radically change character-defining spaces, materials, features, or finishes in order to minimize adverse impact on the resource. Alterations may include selective removal of features that are not historic elements of the resource and its setting and that detract from the overall historic character of the resource.
7. Construct new additions only after it is determined that an exterior addition is the only viable means of assuring continued use of the resource.
8. In constructing new additions, use appropriate design and construction to minimize adverse impact on the resource's historic character. Adverse impact can be minimized in new additions by: clearly differentiating from historic materials and features; using design compatible with the historic materials, forms and

details, size, scale and proportion, and massing of the resource to protect the integrity of the resource and its setting. In addition, new additions should be designed such that, if removed in the future, the essential form and integrity of the historic resource and its setting would not be impaired.

9. Minimize loss of historic resources or the historic character of the resources of the Waterfront Area when it is not possible to completely preserve and retain the resource.
  10. Relocate an historic resource when it cannot be preserved in place and the resource is imperiled: directly by a proposed activity which has no viable alternative which would not result in adverse effects on the resource, or indirectly by surrounding conditions which are likely to result in degradation or inadequate maintenance of the resource.
    - a. the resource cannot be adapted for use on the existing site which would result in preservation of the resource.
    - b. a suitable site for relocation is available, and it is technically and economically feasible to move the resource.
  11. Allow for demolition of the resource only when: it is not feasible to protect the resource through relocation, and the resource has been officially certified as being imminently dangerous to life or public health, or the resource cannot be adapted for any use on the existing site or on any new site.
  12. Document in detail the character-defining elements of the historic resource in its original context prior to relocation or demolition of the resource.
- C. Avoid potential adverse impacts of development on adjacent or nearby historic resources.
1. Protect historic resources by ensuring that development is compatible with the historic character of the affected resource.
  2. Design development to a size, scale, proportion, mass, and with a spatial relationship compatible with the historic resource.
  3. Design development using materials, features, forms, details, textures, and colors compatible with similar features of the historic resource.
- D. Limit adverse cumulative impacts on historic resources.

1. Minimize the potential adverse cumulative impact on a historic resource which is a member of a group of related resources that may be adversely impacted by the loss or diminution of any one of the members of the group.
2. Minimize the potential cumulative impacts of a series of otherwise minor interventions on a historic resource.
3. Minimize potential cumulative impacts from development adjacent to the historic resource.
- 4.

## **2.2 Protect and preserve archaeological resources in Plattsburgh's waterfront area.**

The provisions of this policy are applicable and further described in the Inventory and Analysis.

- E. Conduct a cultural resource investigation when an action is proposed on an archaeological site, fossil bed, or in an area identified for potential archaeological sensitivity on the archaeological resources inventory maps prepared by the New York State Department of Education.
  1. Conduct a site survey to determine the presence or absence of cultural resources in the project's potential impact area.
  2. If cultural resources are discovered as a result of the initial survey, conduct a detailed evaluation of the cultural resource to provide adequate data to allow a determination of the resource's archaeological significance.
- F. If impacts are anticipated on a significant archaeological resource, minimize potential adverse impacts by redesigning the project, reducing direct impacts on the resource, and recovering data prior to construction
- G. Avoid disturbance or adverse effects on any object of archaeological or paleontological interest situated on or under lands owned by the State of New York. These resources may not be appropriated for private use.

## **2.3 Protect and enhance resources that are significant to the culture of Plattsburgh and Cumberland Bay.**

- H. Protect historic shipwrecks and shipwrecks to which the state holds title. Numerous colonial era to modern-day shipwrecks lie in coastal waters. While the location of many of these ships is well documented, more research remains to be done to identify and protect these historic and recreational resources as significant components of the coastal culture of the state. Historic shipwrecks are those wrecks which, by reason of their antiquity or their historic, architectural, archaeological, or cultural value, have state or national importance and are eligible for inclusion on the State or National

Register of Historic Places. The state holds title to all shipwrecks determined to be abandoned under the Abandoned Shipwrecks Act of 1987.

1. Provide for the long-term protection of historic shipwrecks through the least degree of intervention. The least degree of intervention can be achieved by preserving historic shipwrecks in place. When preservation is not feasible, record and recover shipwrecks or their artifacts.
2. Manage shipwrecks to provide for public appreciation, use, and benefit.
3. Avoid disturbance to shipwrecks unless the shipwreck: poses a navigation hazard; or, would impede efforts to restore natural resource values.
4. Prevent unauthorized collection of shipwreck artifacts and associated direct or cumulative impacts.
5. Maintain the natural resource values that are associated with shipwreck sites which may be sensitive to disturbance.

### **Policy 3**

#### **Enhance visual quality and protect scenic resources in the waterfront area.**

Plattsburgh's waterfront is characterized by smaller-scale urban development, transportation arteries, and underutilized open space shoreline tracts; most waterfront parcels are developed. The most important visual concern is the view of Lake Champlain from the City and views of the city from various waterfront points. Elements impacting these views include deteriorated and abandoned structures, unkempt parcels, and unplanned (or poorly planned) siting.

When considering a proposed action, care shall be given to protecting and enhancing the overall scenic quality of the waterfront. Any commercial or industrial use to be located along the shoreline, for example, shall be provided with appropriate fencing, screening and/or landscaping sufficient to mitigate any negative visual impacts. In addition, junkyards, outdoor storage lots, and parking lots which front on the public right-of-ways or residential districts shall be screened in an appropriate manner. The City shall also work to improve interpretive access at key viewpoints, providing appropriate signage and information such as descriptions of Revolutionary War and War of 1812 naval battles, explanations of wetlands, other microclimates and geological features, and the City's commercial and industrial development. Also refer to Policy 3.

#### **3.1. The policy should protect and improve visual quality throughout Plattsburgh's waterfront area.**

The provisions of this policy are applicable and further described in the Inventory and Analysis.

Scenic values associated with natural resources such as the views of the Green Mountains and the abundant wetlands and related open space, and shorelines in natural conditions all contribute to scenic quality.

- A. The following measures are useful in protecting natural scenic values:
  - 1. Maintain or restore original landforms except where altered landforms provide useful screening or contribute to scenic quality.
  - 2. Avoid structures or activities which introduce visual interruptions to natural landscapes including: introduction of intrusive artificial light sources, fragmentation of and structural intrusion into open space areas, and changes to the continuity and configuration of natural shorelines and associated vegetation.

## **B. Natural Waterfront Policies**

### **Policy 4**

#### **Minimize loss of life, structures, and natural resources from flooding and erosion.**

Although erosion is not a significant problem in Plattsburgh, floodways and flood hazard areas have been designated along the shoreline. In order to minimize property damage resulting from flooding, development will be discouraged from locating within such areas or appropriately flood-proofed. Shoreline erosion is currently an ongoing problem in the North End subarea, as well as in localized portions of the steeper waterfront areas of the Old Base site lands. In these areas, every effort will be made to control erosion through the use of strategic sequential planting involving grasses and ground covers, low shrubs, higher shrubs, and trees, or other form of erosion control. It should also be noted that increased boating along Lake Champlain and the Saranac River may result in localized erosion from waves generated by boat wake.

Within floodways, as identified by the Federal Emergency Management Act (FEMA), only open space uses will be allowed. Within flood hazard areas, development will be undertaken in accordance with the following guidelines:

- A. All structures shall be designed and anchored to prevent flotation, collapse or lateral movement due to flood water related forces.
- B. All construction materials and utility equipment used shall be resistant to flood damage.

- C. Construction practices and methods shall be employed which minimize potential flood damage.
- D. All public utilities and facilities shall be located and constructed to minimize or eliminate potential flood damage.
- E. Adequate drainage shall be provided to reduce exposure to flood hazards.
- F. All water supply and sewage disposal systems shall be designed to minimize or eliminate flood water infiltration or discharges into the flood waters.
- G. All new residential construction or substantial improvements to residential structures shall have the lowest floor (including basement) elevated to at least one (1) foot above the water level of the one hundred (100) year flood.
- H. All new non-residential construction or substantial improvements to such non-residential structures shall have the lowest floor (including basement) elevated to at least one (1) foot above the water level of the one hundred (100) year flood or, as an alternative, be flood-proofed up to that same water level, including attendant utility and sanitary facilities.
- I. No use shall be permitted, including fill, dredging or excavation activity, unless the applicant has demonstrated that the proposed use, in combination with all other existing or anticipated uses, will not raise the water level of the one hundred (100) year flood more than one (1) foot at any point.
- J. Comply with the provisions of any municipal erosion management plan, consistent with the provisions of this policy.

## **Policy 5**

### **Protect and improve water quality and supply in the waterfront area.**

Pursuant to the federal Clean Water Act, the State has classified waterways in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewed at least every three years for possible revision or amendment.

Water quality ratings of "C(T)" have been established by the New York State Department of Environmental Conservation for Lake Champlain, the Saranac River, and Dead Creek. A "C" rating indicates that the water is suitable for fishing and fish propagation; the "T" suffix indicates that the water bodies support trout. The present water quality classification for Lake Champlain and the Saranac River is consistent with the proposed land and water uses described in this Local Waterfront

Revitalization Program. Conversely, the uses proposed for the waterfront area are consistent with the provisions of these water quality ratings. The provisions of this policy are applicable and further described in the Inventory and Analysis, page II-28.

**5.1 Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards and targets.**

- A. Prevent point source discharges into coastal waters and manage or avoid land and water uses which would:
  - 1. Exceed applicable effluent limitations, or
  - 2. Cause or contribute to contravention of water quality classification and use standards, or
  - 3. Materially adversely affect receiving water quality, or
  - 4. Violate a vessel no-discharge zone
- B. Ensure effective treatment of sanitary sewage and industrial discharges by:
  - 1. Maintaining efficient operation of sewage and industrial treatment facilities
  - 2. Providing, at a minimum, effective secondary treatment of sanitary sewage
  - 3. Modifying existing sewage treatment facilities to provide improved nitrogen removal capacity
  - 4. Incorporating treatment beyond secondary, as feasible, particularly focusing on nitrogen removal, as part of new wastewater treatment plant design
  - 5. Reducing demand on treatment facilities:
  - 6. Reduce infiltration of excess water in collection and transport systems
  - 7. Eliminate unauthorized collection system hookups
  - 8. Pretreat industrial wastes
  - 9. Limit discharge volumes and pollutant loadings to or below authorized levels
  - 10. Install low-flow water conservation fixtures in all new development, and when replacing fixtures in existing development
  - 11. Reducing the loadings of toxic materials into coastal waters by including limits on toxic metals as part of wastewater treatment plant (WWTP) effluent permits
  - 12. Reducing or eliminating combined sewer overflows

**5.2 Protect and enhance water quality of waters.**

- C. Protect water quality based on an evaluation of physical factors (pH, dissolved oxygen, dissolved solids, nutrients, odor, color and turbidity), health factors (pathogens, chemical contaminants, and toxicity), and aesthetic factors (oils, floatables, refuse, and suspended solids).
- D. Minimize disturbance of streams including their bed and banks in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water.
- E. Protect water quality of waters, and wetlands that are adjacent to and contiguous at any point to navigable waters from adverse impacts associated with excavation.
- F. Limit potential adverse impacts on water quality due to excavation or placement of fill using avoidance and minimization methods including reduction in scope of work and use of clean fill.

**5.3 Limit the potential for cumulative and secondary impact of watershed development and other activities on water quality and quantity.**

- G. Protect water quality by ensuring that watershed development results in: protection of areas that provide important water quality benefits; maintenance of natural characteristics of drainage systems, and protection of areas that are particularly susceptible to erosion and sediment loss.
- H. Limit the individual impacts associated with development to prevent cumulative water quality impacts which would lead to a failure to meet water quality standards.

**Policy 6**

**Protect and restore and restore the quality and function of the waterfront area ecosystem.**

Habitat protection is recognized as fundamental to assuring the survival of fish and wildlife populations. In order to protect and preserve a habitat, activities and development which would destroy or significantly impair the viability of a habitat will not be undertaken. Habitat destruction is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area, or through the indirect effects of these actions on a designated area. Significant impairment is defined as a reduction in vital resources (e.g. food, shelter, living space) or change in environmental conditions (e.g. temperature, substrate, salinity) beyond the tolerance range of an organism.

Activities should not be undertaken which adversely impact fish populations. Such activities include, but are not limited to, the following:

- Those which increase sedimentation or erosion.
- The point and non-point discharge of toxic substances.
- The disturbance of wetlands, which serve as important nursery and feeding areas for fish and wildlife.

As part of this overall conservation effort, the City will endeavor to include natural resource and habitat interpretation in all trail developments.

**6.1 Ensure the long-term maintenance and health of living aquatic resources in Lake Champlain and the Saranac River.**

The provisions of this policy are applicable and further described in the Inventory and Analysis, page II-30.

- A. Ensure that recreational use of living aquatic resources is managed in a manner that:
  - 1. Places primary importance on maintaining the long-term health and abundance of fisheries
  - 2. Results in sustained useable abundance and diversity of the resource
  - 3. Does not interfere with population and habitat maintenance and restoration efforts
  - 4. Uses best available scientific information in managing the resources, and minimizes waste and reduces discard mortality of fishery resources
- B. Ensure that the management of the state's trans-boundary and migratory species is consistent with interstate, state-federal, and inter-jurisdictional management plans.
- C. Protect and manage native stocks and restore sustainable populations of indigenous fish and wildlife species and other marine living resources.

**6.2 Provide for recreational use of aquatic fisheries in Lake Champlain and the Saranac River.**

- D. Maximize the benefits of resources to provide: valuable recreational resource experience, and viable business opportunities for recreational fisheries.
- E. Where fishery conservation and management require actions that would result in resource allocation impacts, ensure equitable distribution of impact among user groups, giving priority to existing fisheries in the state.
- F. Provide adequate infrastructure to meet recreational needs including appropriate fishing piers, dockage, parking, and livery services.

**6.3 Protect and restore freshwater wetlands.**

The provisions of this policy are applicable and further described in the Inventory and Analysis, pages II-28 to II-29.

Wetlands provide numerous benefits, including, but not limited to, the following:

- habitat for fish and wildlife;
- erosion and flood control;
- natural pollution treatment;
- groundwater protection;
- aesthetic open space.

The following measures can further the protection or restoration of wetlands:

- A. Compliance with the statutory and regulatory requirements of the Freshwater Wetlands Act and the Stream Protection Act.
- B. Prevention of the net loss of wetlands by:
  1. Avoiding placement of fill or excavation of wetlands
  2. Minimizing adverse impacts resulting from unavoidable fill, excavation or other activities
  3. Providing compensatory mitigation for adverse impacts which may result from unavoidable fill, excavation or other activities remaining after all appropriate and practicable minimization has been accomplished
  4. Providing and maintaining adequate buffers between wetlands and adjacent or nearby uses and activities in order to ensure protection of the wetlands character, quality, values and functions.

### **Policy 7**

**Protect and improve air quality in the waterfront area.**

**This State policy is not applicable in the City of Plattsburgh**

### **Policy 8**

**Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.**

Toxic substances include elements, chemicals or chemical compounds that can poison living plants and animals, including humans. While some toxic substances come from natural sources, the increasing use of chemicals in manufacturing processes for agriculture and in our daily lives may be threatening the quality of Lake Champlain waters. According to Lake Champlain Basin Program documents, most toxic substances found in the Lake occur at levels that do not pose a known threat to human health. However, the program's "Sediment Toxics Assessment Program" identified Cumberland Bay as a "site of concern" regarding levels of toxicity within the Lake. Toxic substances found within the Bay included PCBs, PAHs, Copper and Zinc. The City should therefore encourage and support all efforts to reduce the introduction of toxic materials into Lake Champlain from local industries, the sewage treatment plant, and the former Air Base lands.<sup>16</sup>

The discharge of sewage, garbage, and other wastes from boats at Plattsburgh Harbor Marina and moorings and launch sites throughout Cumberland Bay, can adversely affect water quality and is regulated by State law. In order to minimize such discharges, marinas shall be required to provide sewage pump-out facilities. As a general guide, at least one pumpout station and dump station should be provided for every 300 to 600 boats over 16 feet in length overall; it is suggested that marinas with 50 slips or more that are capable of mooring 26 feet + boats have access to at least one pumpout station, and marinas with 50 slips or more that are capable of mooring 16-26 feet boats have access to at least one dump station. Dump stations should be sited in conjunction with pumpout stations, but should also be located where there are no pumpout stations but where boats with portable toilets congregate or are used, such as launching ramps.<sup>17</sup>

Pumpout and dump station facilities shall be available to all boaters, regardless of whether they are patrons of the marina. In addition, marinas shall also provide rest rooms to further discourage the overboard discharge of sewage from boats. As noted in Lake Champlain Basin Program documents, this is of particular concern in the northernmost areas of Lake Champlain, owing to less regulation in Canada and a greater population of Canadian vessels in these areas. Refer also to Policy 2.

### **8.1 Manage solid waste to protect public health and control pollution.**

Solid wastes are those materials defined under ECL §27-0701 and 6 NYCRR Part 360-1.2.

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<sup>16</sup>For additional guidance, see Opportunities for Action, An Evolving Plan for the Future of the Lake Champlain Basin, Draft, October, 1994, Toxics, pp. 1-13.

<sup>17</sup> Additional guidance concerning dump station and pumpout facilities can be found in the Federal Register, Vol. 59, No. 47, Thursday, March 10, 1994 "Notices" p. 11297.

- A. Plan for proper and effective solid waste disposal prior to undertaking major development or activities generating solid wastes.
- B. Manage solid waste in accordance with the following solid waste management priorities: reduce the amount of solid waste generated, reuse material for the purpose for which it was originally intended or recycle material that cannot be reused, and use land burial or other approved methods to dispose of solid waste that is not being reused or recycled.
- C. Create and support a market for maximum resource recovery by using materials and products manufactured with recovered materials, and recovering materials as a source of supply for manufacturing materials and products.
- D. Prevent the discharge of solid wastes into the environment by using proper handling, management, and transportation practices.
- E. Operate solid waste management facilities to prevent or reduce water pollution, air pollution, noise pollution, obnoxious odors, litter, pest infestation, and other conditions harmful to the public health.

## **8.2 Manage hazardous wastes to protect public health and control pollution.**

Hazardous wastes are those materials defined under ECL §27-0901 and 6 NYCRR Part 371.

- F. Manage hazardous waste in accordance with the following priorities:
  - 1. Eliminate or reduce generation of hazardous wastes to the maximum extent practical.
  - 2. Recover, reuse, or recycle remaining hazardous wastes to the maximum extent practical.
  - 3. Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes which cannot be reduced, recovered, reused, or recycled.
  - 4. Phase out land disposal of industrial hazardous wastes.
- G. Ensure the maximum safety of the public from hazards associated with hazardous wastes through the proper management and handling of industrial hazardous waste treatment, storage, and disposal.
- H. Remediate inactive hazardous waste disposal sites.
  - 1. Expedite remediation of substances hazardous in developed centers to permit redevelopment of the sites.

2. Select a remediation remedy at a particular site to ensure that the public health and the environment will be protected. The future use of a site may determine the selected cleanup levels.

**8.3 Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment.**

Substances hazardous to the environment are defined under ECL §37-0101. Toxic pollutants are defined under ECL §17-0105.

- A. Prevent release of toxic pollutants or substances hazardous to the environment which would have a deleterious effect on fish and wildlife resources.
- B. Prevent environmental degradation due to persistent toxic pollutants:
  1. Limit discharges of bioaccumulative substances.
  2. Avoid resuspension of toxic pollutants and hazardous substances and wastes and re-entry of bioaccumulative substances into the food chain from existing environmental sources.
- C. Prevent and control environmental pollution due to release of radioactive materials as defined under 6 NYCRR Part 380.
- D. Protect public health, public and private property, and fish and wildlife from inappropriate use of pesticides.
  1. Pesticides are those substances defined under ECL §33-0101 and 6 NYCRR Part 325.
  2. Limit use of pesticides to effectively target actual pest populations as indicated through integrated pest management methods.
  3. Prevent direct or indirect entry of pesticides into waterways.
  4. Minimize exposure of people, fish, and wildlife to pesticides.
- E. Report, respond to, and take action to correct all unregulated releases of substances hazardous to the environment.

**8.4 Prevent and remediate discharge of petroleum products.**

- A. Minimize adverse impacts from potential oil spills by appropriate siting of petroleum off-loading facilities.

- B. Demonstrate that an adequate plan for prevention and control of petroleum discharges is in place at any major petroleum-related facility.
- C. Prevent discharges of petroleum products by following methods approved for handling and storage of petroleum products and using approved design and maintenance principles for storage facilities.
- D. Clean up and remove any petroleum discharge.
- E. Give first priority to minimizing environmental damage:
  - 1. Respond quickly to contain petroleum spills.
  - 2. Contain discharges immediately after discovery.
  - 3. Recover and recycle petroleum discharges using the best available practices.

**8.5 Transport solid waste and hazardous substances and waste using routes and methods which protect the safety, well-being, and general welfare of the public and the environmental resources of the state; and protect continued use of all transportation corridors and highways and transportation facilities.**

## **C. Public Waterfront Policies**

### **Policy 9**

**Provide for public access to and recreational use of Lake Champlain and the Saranac River and their shorelines, public lands and public resources.**

Along many stretches of the waterfront, physical and visual access is limited for the general public. Limitations on reaching or viewing the waterfront are further heightened by a general lack of diverse forms of recreation at those sites that do provide access. In many cases, access and recreational opportunities are limited to local residents. In addition to loss of opportunities for physical access, visual access has also been diminished due to blocked views or the elimination of vantage points.

Given the lack of adequate public access and recreation, this policy incorporates measures needed to provide public access throughout the waterfront area. The need to maintain and improve existing public access and facilities is the first of these measures, and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate existing demand. The second measure is to capitalize on all available opportunities to provide additional visual and physical public access along with

appropriate opportunities for recreation. Recreational facilities, such as parks and trails, are acceptable uses for virtually any portion of the City's waterfront. However, direct shoreline access within the Point View Terrace neighborhood is precluded due to existing residential development, and other areas are subject to continuing beach erosion. The third measure addresses the need to protect and preserve natural resources in the development of recreation facilities.

The City should, and will, make every effort to work with local developers, property and business owners, and homeowners to maximize public access and waterfront redevelopment opportunities, recognizing that waterfront redevelopment is generally a major catalyst for economic revitalization.

**9.1. Promote appropriate physical public access and recreation throughout Plattsburgh's waterfront area.**

Although there are currently several ways to access the waterfront area in Plattsburgh, as described in the Inventory and Analysis, the access provided in these sites is uncoordinated and does not represent the most effective means of providing diverse public recreation opportunities along the waterfront. The guidelines in this policy are intended to shape the enhancement of existing access sites, as well as the development of new areas. The level of public access and type of recreational use should take into account the following factors:

- Proximity to downtown and neighborhoods
  - Public demand for access and recreational use
  - Type and sensitivity of natural resources affected
  - Purpose of public institutions which may exist on the site
  - Accessibility to the public access site or facility
  - The needs of special groups such as the elderly and persons with disabilities
  - The potential for adverse impacts on adjacent land uses
- A. Provide new opportunities for convenient, well-defined physical public access to and along Plattsburgh's waterfront for water-related recreation, such as Wilcox Dock or trail linkages.
- B. Protect and maintain existing public access and water-related recreation facilities.
1. Prevent physical deterioration of facilities due to lack of maintenance or overuse.
  2. Prevent any on-site or adjacent development project or activity from directly or indirectly impairing physical public access and recreation or adversely affecting its quality.

3. Protect and maintain established access and recreation facilities, especially at the marina, City Beach, and Dock St. Landing.
  4. Protect and maintain the infrastructure supporting public access and recreational facilities.
- C. Provide additional physical public access and recreation facilities throughout the coastal area.
1. Promote acquisition of additional public park lands to meet existing public access and recreation needs, such as near Wilcox Dock, when land becomes available.
  2. Provide for public access and recreation facilities on non-park public waterfront lands as a secondary use, such as waterfront pedestrian trails, when land becomes available.
  3. Provide for public access at streets terminating at the shoreline, such as Cumberland Avenue and Dock Street, when land becomes available.
  4. Provide access and recreation facilities to all members of the public whenever access or recreation is directly or indirectly supported through federal or state projects or funding.
  5. Retain a public interest which will be adequate to preserve public access and recreation opportunities in publicly owned lands immediately adjacent to the shore in any transfer of public lands.

**9.2 Provide public visual access to coastal lands and waters or open space at all sites where physically practical.**

In addition to physical access, maintaining and expanding visual access to the waterfront is an important policy of this LWRP. Views of the waterfront not only enhance the character of Plattsburgh, but increase property values for properties near, but not on, the waterfront, thereby encouraging economic growth. The intent of the following guidelines is two-fold:

- Provide design guidance for those projects directly designed and developed by the City
- Provide a framework for regulatory standards, such as a waterfront overlay district, which will shape the development of private properties in the future.

The following standards should be applied with respect to increasing visual access to waterfront lands and water:

- A. Avoid loss of existing visual access:
  - 1. Limit physical blockage of existing visual access by development or activities due to the scale, design, location, or type structures.
  - 2. Protect view corridors provided by streets and other public areas leading to the coast.
  - 3. Protect visual access to open space areas associated with natural resources.
- B. Minimize adverse impact on visual access:
  - 1. Provide for view corridors to the coast in those locations where new structures would block views of the coast from inland public vantage points.
  - 2. Use structural design and building siting techniques to preserve or retain visual access and minimize obstruction of views.
  - 3. Visual access requirements may be reduced where site conditions, including vegetative cover or natural protective features, block potential views.
  - 4. Vegetative or structural screening of an industrial or commercial waterfront site is allowed if the resulting overall visual quality outweighs the loss of visual access.
- C. Provide compensatory mitigation for loss of visual access:
  - 1. Provide public visual access from vantage points on the site where development of the site blocks visual access from inland public vantage points.
  - 2. Provide for additional and comparable visual access at nearby locations if physical access cannot be provided on-site.
- D. Increase visual access to the waterfront whenever practical:
  - 1. Provide pull-offs along public roads at appropriate locations to enhance opportunities for visual access to waterfront lands and waters.
  - 2. Provide interpretative exhibits at appropriate locations for visual access to enhance public understanding and enjoyment of views of waterfront lands and waters and its associated water-dependent uses.
  - 3. Provide visual access to areas of high visual quality including community waterfronts, water-dependent uses, natural resources, and panoramas of the Lake.

**9.3 Provide access and recreation which is compatible with natural resource values.**

As stated in the Inventory and Analysis, there are several areas of high natural resource value in the LWRP boundary. These include the wetlands near Scotion Creek, the floodplain associated with the Saranac River, the Saranac River itself, and Lake Champlain. It is important that any recreational or general access projects proposed in these areas are designed to be compatible with the ecological considerations on the site. The following guidelines are intended to be considered in the identification and design of such recreation facilities.

- A. Provide appropriate access and associated recreational activity that will avoid potential adverse impacts on natural resources. Use the following factors in determining the potential for adverse environmental effects:
  - 1. Intensity of the associated recreational, scientific, or educational activity
  - 2. Level of likely disturbance associated with the proposed activity. The following types of access or associated activities are listed in decreasing order of potential for disturbance: motorized activities, active, non-motorized activities, including water-dependent and water-related uses, passive activities, and avoidance of the area
  - 3. Sensitivity of the natural resources involved and the extent of the ecological benefits associated with avoidance of the area.
- B. Limit public access and recreational activities where uncontrolled public use would lead to impairment of natural resources.
  - 1. Establish appropriate seasonal limitations on access and recreation in order to minimize adverse impacts on fish and wildlife species.
  - 2. Provide stewardship which is capable of controlling anticipated adverse impacts before providing public access.
  - 3. Physically limit or avoid provision of public access to natural resource areas whose principal values are based on the lack of human disturbance, such as the escarpment in the south portion of the LWRP lake coast area.
  - 4. Provide educational, interpretive, research, and passive uses of natural resources through appropriate design and control of public access and recreation.
- C. Provide public access for fish and wildlife resource related activities, including fishing, provided that the level of access would not result in a loss of resources necessary to continue supporting these uses.

- D. Provide access using methods and structures which maintain and protect open space areas associated with natural resources. Determine the extent of visual and physical impairment by structures extending through these open space areas based on:
  - 1. The value of the open space as indicated by continuous size or mass of the wetland or other natural resources, distance to navigable water, and wetland value, and
  - 2. The size, length, and design of proposed structures

## **D. Working Waterfront Policies**

### **Policy 10**

**Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations, and support efficient harbor operation.**

Throughout the nation, greenways, rails-to-trail initiatives, bikeways, and walkways are linking waterfronts with surrounding communities and bringing citizens back to lakes, rivers, and seashores. Increasing interest in boating and fishing, as well as all recreational pursuits, has resulted in shortages in boat slips across the country in the past decade. Increasing interest in boating, shore fishing, fly fishing, and ice fishing was consistently demonstrated in public meetings and anecdotal information furnished to the Project Team, as well as in Lake Champlain Basin Program documents.

Given this interest locally and among potential tourists to the area, Plattsburgh's waterfront revitalization and redevelopment should be carefully planned to maximize existing resources, using them as a base for creating new amenities and attractions. Telephone interviews carried out as part of both the LWRP and the city's housing and economic development needs study, have indicated that realtors, bankers, business owners and residents recognize that Lake Champlain represents a significant but underutilized resource. The studies also reported that there is a recognized shortage of boating facilities on Lake Champlain, particularly on the New York side, and the most popular marinas were located immediately north and south of the city, at Point Au Roche State Park and Valcour Island.

Within Plattsburgh, the water-dependent uses to be encouraged may include recreational boating facilities such as docks and marinas, and pedestrian recreational/interpretive trails. In addition, complimentary uses, such as boat repair, supply, and lodging activities should also be encouraged in areas where they would not conflict with existing residential development. Presently, little, if any, demand exists for water-dependent industry.

It can be reasonably expected that the demand for waterfront space will intensify in the long-term. The traditional method of land allocation, the real estate market, with or without local land use controls, offers little assurance that uses which require a waterfront site will, in fact, have access to such locations.

Furthermore, in implementing the LWRP, the City will use a variety of tools and techniques to develop the lakefront as a sustainable community resource. Strategic tools include land use controls (such as zoning and design standards) and development incentives which can assist in implementing community goals and acquiring property through arrangements which provide community control over development approaches and projects.

### **Recreational Boating**

With regard to the siting of boating facilities, marina locations should be developed and/or maintained and enhanced at Wilcox Dock (currently moorings only) and Dock St. Landing and the Plattsburgh Boat Basin, which has been upgraded with a new bar/restaurant by a private developer. The City should continue to work closely with the developer to improve and enhance existing facilities to make this a more popular destination. Additional marina facilities should be developed at Wilcox Dock and perhaps somewhere along the Old Base site waterfront. Such facilities must be developed where vehicular access is provided for and where strong linkages can be made between the waterfront and other city amenities. Provisions should also be made for rental boats, guest slips, etc. New residential development could include boat slips. Such development should be sited in such a way as to minimize conflicting uses.

#### **10.1. Protect water-dependent uses.**

- A. Existing uses such as the municipal beach, Dock St. Landing, Plattsburgh Boat Basin, and the beaches at the Old Base site should be encouraged and enhanced.

#### **10.2. Promote the siting of new water-dependent uses at suitable locations and provide for their safe operation.**

Adverse impacts of new and expanding water-dependent uses should be minimized. The provisions of this policy are applicable and further described in the explanation of policy.

- B. Marinas shall be located in areas where minimal maintenance dredging will be required (not more than once every five years):
  - 1. Waterside and landside access, as well as upland space for parking and other facilities, is adequate

2. The necessary infrastructure exists or is easily accessible, including adequate shoreline stabilization structures, roads, water supply and sewage disposal facilities, and vessel waste pump-out and waste disposal facilities.
  3. Water quality classifications are compatible
- C. Ensure that new or expanding marinas:
1. Incorporate marine services and boat repair, as feasible, to meet a range of boating needs
  2. Do not displace or impair the operation of water-dependent transportation, industry, or commerce
  3. Do not encroach upon navigation channels or channel buffer areas
  4. Incorporate public access to the shore through provisions, such as including access from the upland, boat ramps, and transient boat mooring
- D. Adequate sewage pump-out facilities shall be provided. The number and type of such facilities shall be determined by the size of the marina and the type of boats served by it.
- E. Marinas shall not be located in areas where they would harm aquatic life or would degrade identified wetlands
- F. Adequate restroom facilities shall be provided to discourage overboard discharge of sewage from boats and to protect water quality
- G. Ample signage shall be provided to identify the location of restrooms and pump-out facilities. Signs must also fully explain the procedures and rules governing the use of pump-out facilities. Pump-out facilities shall be available to all boaters, regardless of whether they are patrons of the marina.

**10.3. Improve the economic viability of water-dependent uses.**

- A. Non-water-dependent accessory or mixed use developments may be allowed, provided:
1. Accessory uses are subordinate and functionally related to the principal water-dependent use and contribute to sustaining the water-dependent use
  2. Mixed uses subsidize the water-dependent use and are accompanied by a demonstrable commitment to continue operation of the water-dependent use
  3. Uses are sited and operated so as not to interfere with the principal operation of the site for a water-dependent use, and

4. Uses do not preclude future expansion of a water-dependent use.
- B. Locations that exhibit important natural resource values, such as wetlands and fish and wildlife habitats, should be avoided. Other uses may be incorporated in the waterfront, particularly water enhanced and marine support services, provided that these uses:
1. Improve the working waterfront and its character
  2. Do not interfere with the efficient operation of another water-dependent use
  3. Make beneficial use of a waterfront location through siting and design to increase public enjoyment of the waterfront.

**10.4. Allow water-enhanced uses which complement or improve the viability of water-dependent uses.**

When determining if a water-enhanced use is appropriate for siting along a waterfront, the following factors should be considered:

- C. The use would provide an economic incentive to prevent the loss of a water-dependent use.
- D. The use would be sited and operated so as not to interfere with water-dependent uses.
- E. The use would be sited in a manner which does not preclude future expansion of a water-dependent use.
- F. The activity makes beneficial use of a shoreline location through siting and design to increase public enjoyment of the waterfront and enhance community character.
- G. Dedicated parking spaces shall be provided at a minimum of 0.6 spaces per slip plus additional spaces for employees and for separate retail activities on the premises.

**10.5. Promote the efficient management of surface waters and underwater lands.**

Waterways throughout the State have experienced a significant growth in recreational boating in recent years. The increase in boat traffic has resulted in a corresponding demand for marinas, docks, storage areas, service shops, and launch facilities. Although communities have been preparing comprehensive land use plans for years, equivalent attention has not been given to the water surface and harbor areas. As a result, problems have arisen related to boating congestion, public safety, dredging and dredge spoil disposal, public access to the waterfront, water quality, and competition of land uses along the waterfront.

Marina/Harbor

The City also has advantageous proximity to Rouse's Point in Clinton County, New York - the point of entry for Canadians entering the waters of the United States. It is anticipated that expanded recreational boating facilities, such as a marina, will be sited along Lake Champlain, probably in the vicinity of the Marina subarea. In order to assure that such facilities will be constructed and sited in a manner which does not degrade natural resources or adversely impact boat traffic, the following guidelines shall apply:

- A. To promote effective water use management, traditional land use planning techniques can be applied to the water surface in the following manner:
  - 1. To assure safety, bathing, water skiing, and other recreational uses should be located away from marinas or commercial boating facilities.
  - 2. Marinas, in-water structures, and surface water uses should not encroach upon navigation channels.
  - 3. Uses which are not water-dependent (i.e. decks and platforms) should not be allowed on or over surface waters.
  - 4. The establishment of future water use zones and the siting of in-water structures should be done in a manner which minimizes potential impacts on sensitive resources such as wetlands and fish and wildlife habitats.

**Policy 11**

**Promote sustainable use of living marine resources in the waterfront area.**

**11.1 Best management practices will be used to ensure the control of stormwater runoff, combined sewer overflows, and the non-point discharge of excess nutrients, organics, and eroded soils into Lake Champlain and the Saranac River.**

Non-point source pollution is pollution that enters the water from dispersed sources on the land and in the air. The four major categories of nonpoint source pollutants in the Lake Champlain Basin are nutrients, toxic substances, sediment and pathogens.<sup>18</sup> Non-point source pollution often comes from a wide variety of human activities and is also caused by rainfall or snowmelt which carries pollutants into

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<sup>18</sup> For additional guidance, see Opportunities for Action, An Evolving Plan for the Future of the Lake Champlain Basin, Draft, October 1994, Nonpoint Source, pp. 1-30.

waterways from a number of ground sources, such as streets, parking lots, and agricultural fields. Best management practices to be utilized to minimize non-point source pollution include the following:

- A. Retain as much of the natural vegetation as possible and avoid mass clearing of sites to be developed.
- B. Utilize grading methods which impede vertical runoff and provide maximum runoff infiltration capacity.
- C. Locate large graded areas on the most level portion of the site and avoid the development of steep vegetated slopes.
- D. Conduct grading and clearance activities outside floodplains.
- E. Utilize porous pavements in the construction of parking areas.
- F. Protect inlets to storm sewers by installing suitable filtering devices during construction.
- G. Runoff from parking lots, fueling areas, and large building sites should be collected and detained in sediment basins, oil and grease filtering catch basins, or retention areas to trap pollutants which would otherwise be transported from the site.
- H. Fuel spill prevention emergency response plans shall be prepared and the provision of automatic fuel cut-offs for hoses is mandatory.
- I. Stormwater runoff from parking lots, maintenance, fueling, and wash-down areas must be treated in a manner that prevents oils, grease and detergents from reaching adjacent waters and wetlands. Accepted treatment methods include oil and grease filtering catch basins, retention areas and exfiltration systems.
- J. Trash receptacles shall be plentiful and convenient to encourage the proper disposal of trash and waste.

In addition to these practices, the City will evaluate the effectiveness of its storm sewer system and make improvements, where possible, aimed at collecting and detaining sediments in filtering catch basins, retention areas, etc.

**11.2 Dredging, dredge spoil disposal and excavation will be undertaken in a manner which protects fish and wildlife habitats, scenic resources, and wetlands, and does not cause an increase in the erosion of such land.**

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal, and meeting other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands and other important resources. Often, these adverse affects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging

permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse affects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to the Environmental Conservation Law (Articles 15, 24, 25 and 34).

The future siting and/or expansion of marina facilities within the City may also necessitate dredging. In this regard, such facilities shall be located in areas where minimal maintenance dredging will be necessary. In addition, dredging which would impact identified wetlands should be avoided so as not to degrade these sensitive environmental resources.

### **Policy 12**

**Protect agricultural lands in the waterfront area.**

This State policy is not applicable in the City of Plattsburgh

### **Policy 13**

**Promote appropriate use and development of energy and mineral resources.**

This State policy is not applicable in the City of Plattsburgh

## **Section IV Proposed Land and Water Uses & Projects**

A key component of Plattsburgh's Waterfront Revitalization Program consists of the specific land and water uses, development projects and revitalization programs - both public and private - proposed for the coastal area. The Inventory and Analysis of waterfront conditions and the applicable state and local policies provided the basis for this component. Corresponding changes in the city's zoning ordinance will be described in Section 5. The proposed uses and projects were selected after input and approval from the city planning and engineering staff, the local Waterfront Commission, and the City Council. Additional public meetings and interviews will be held with various subarea groups and residents.

The City has identified land and water uses and proposed projects in recognition of the fact that the cornerstone of successful waterfront revitalization is attractive, safe, and inviting public access, and that without public access, the water's edge will remain cut off, private, and lacking in the single ingredient absolutely necessary for revitalization: people. Additionally, without a comprehensive plan for the whole waterfront, access that is gained is likely to be haphazard, unconnected and underutilized.

The best access has these characteristics:

1. It invites public use by virtue of its unambiguously public character.
2. It permits the public to walk, jog and bike along the water's edge, while minimizing conflicts among types of users.
3. It allows boaters access to and from the water and a secure place to temporarily leave their boats.
4. It connects the downtown to the waterfront at points where the Central Business District and other City neighborhoods front the Lake and River.
5. It establishes or preserves visual connections to the waterfront from upland sites and streets.
6. It provides a variety of pedestrian experiences by using changes in width, elevation, orientation, plantings and surface treatment.
7. It respects people's basic needs by providing comfortable street furniture; clean, safe restrooms; and shelter from rain.
8. It sparks visitors' curiosity through interpretive markers and signs explaining the waterfront's role in history, its contemporary industries, natural environment and wildlife, and other intrinsically interesting stories.

9. By its design, it guards the privacy and security of adjacent residences and protects people from hazardous waterfront industrial sites.
10. It respects the needs of children, the elderly, and the disabled.<sup>19</sup>

Revitalizing the waterfront depends on identifying and conserving existing assets and amenities and recognizing, contemplating and developing opportunities for the creation of additional amenities; the intent of recommending future land and water uses and zoning revisions is to encourage and support a wide range of additional activities and to conserve existing resources. The revitalized Plattsburgh waterfront should be pleasant and welcoming to all ages and ability levels of people, offer a wide variety of activities, and be varied in use and activity concentration. There should be welcoming and secure areas for senior citizens, young parents and children to sit in the sun, feed the birds and rest; playground equipment to play on; nearby playing fields and scenic overlooks; nature walks; fountains; pathways surfaced for walking, bicycling, rollerblading, and skateboarding. However, land and water uses are not expected to depart drastically from existing patterns; proposed uses and projects are predominantly refinements of existing patterns.

Land and water uses, as well as projects should be considered carefully. The Plattsburgh waterfront is currently rather unencumbered by development and an opportunity therefore exists for the City and private property owners to work together to create a waterfront area that will be attractive and appealing to residents and visitors alike. With this in mind, the City should be respectful of and sensitive to the rights and concerns of private property owners. All groups should be mindful of the need to work together to realize the economic and community development potential of waterfront revitalization.

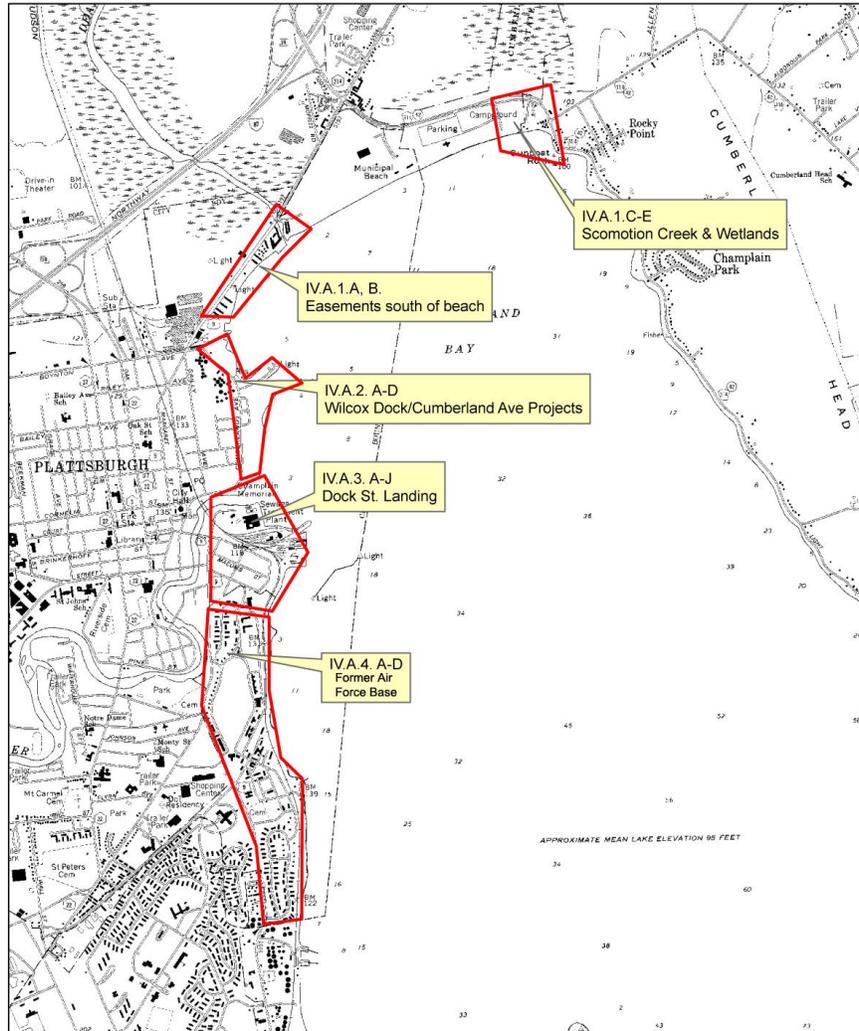
### **A. Proposed Land Uses**

Based on the description of existing land and water uses and analysis of opportunities and constraints presented above in Section II C, recommendations are made for proposed land and water uses for each subarea below. The proposed projects primarily represent refinements or expansions of existing uses and are not expected to bring about drastic changes in use (see Map 9). It will be of utmost importance for the City and private property owners to collaborate in order to protect existing resources and provide guidance for future development.

#### Map 10 – Proposed Projects

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<sup>19</sup> Good, J.W., and R.F. Goodwin, Waterfront Revitalization for Small Cities, Corvallis, OR: Oregon State University Extension Service, May 1992.



### North End Subarea

Proposed uses reflect maintenance of existing development patterns. This subarea includes the City Beach as well as several motels, townhouse developments, restaurants, offices and industrial use (mainly Georgia Pacific).

The City has successfully completed several projects in this subarea, including an Environmental Quality Bond Act (EQBA)-funded extension of the Heritage Trail. In addition the City has encouraged and assisted in the rehabilitation of deteriorated buildings in this area. More than half of the waterfront area in this subarea provides public access to Lake Champlain. Existing water uses are predominantly recreational and include fishing, swimming, and boating (paddleboat and rowboat rentals). Proposed uses under the LWRP would maintain and strengthen these uses, through the acquisition of easements from private property owners (in long-term and realistically, with some form of incentive) and

implementation of related enhancements, such as the construction of a waterfront loop of the existing Heritage Trail.

### **Projects**

- A. In the long-term, the City should develop a public outreach and education program to facilitate the granting of voluntary easements by willing private property owners at all parcels located south of the city beach. While some of these sites currently allow informal access, no formal right-of-way has been established. The City and the Lake Champlain Basin Program have articulated a desire to have a walking/bicycling trail along the entire Lake Champlain waterfront. Over time, when public access is obtained through easements across private property, the easements should be recorded in the property deeds of each parcel crossed by the access way. Doing this will ensure easements are not "lost" when parcels change hands. This point is particularly important in cases where the access is not continuous and leads to a dead-end shoreline viewpoint.
- B. Work with property owners to establish a volunteer incentive package for obtaining waterfront easements from private property owners.
- C. Improve interpretation of the Scotion Creek wetlands and dunes area with additional signage and recreational programming (such as self-guided nature walks).
- D. From Scotion Creek to end of the City Beach, additional beach monitoring and cleanup should be carried out.
- E. Work with private property owners to obtain easements to all waterfront parcels as a means of ensuring protection and providing improved public access to the waterfront. Construct a Cumberland Bay trail connecting the interpretive trail proposed for Scotion Creek and the Wilcox Dock site.

### **Cumberland Avenue/Wilcox Dock Subarea**

This subarea includes industrial development (Georgia-Pacific plant) in the northern portion, and predominantly prime residential housing. These uses are unlikely to change in the near-term; land and water uses generally reflect a continuation and enhancement of existing uses. The City has already rezoned portions of this area to RC. Any future redevelopment plans must be carefully considered and implemented; with some of the City's best views of Lake Champlain and the Green Mountains, this parcel is a key element of Plattsburgh's waterfront. To this end, the City has begun to work with the State and Georgia Pacific to facilitate cleanup and development of Wilcox Dock area. This phased effort includes the development of a formal gateway, entrance road, parking, and turn-around areas for vehicular access to Wilcox Dock. By keeping existing development with minor and incremental

improvements over time as funding is available, the City will be able to accomplish this goal, which is consistent with the goals of the LWRP.

The shore east of the Georgia Pacific plant is currently underutilized due to former PCB contamination, however this site was cleaned up through a cooperative agreement between Georgia Pacific and DEC. Proposed supporting LWRP use of this land suggests additional screen planting of evergreen trees, with potential trail access (long-term goal) at the shore level to continue a Cumberland Bay perimeter trail across the property.

The residential area in the south portion of this subarea is a stable single-family residential neighborhood, with most homes constructed in the early to mid-1900s. The homes with shorefront lots are considered to be among the most desirable living places in the City. Proposed uses under the LWRP would maintain and protect the existing character.

Proposed water uses are predominantly recreational and could include fishing, swimming, bird watching, and small boating and/or boat rentals. No new freight activity is envisioned for the former barge canal pier.

### **Projects**

- A. The vacant lot at the north end of Cumberland Avenue is privately owned. As the City works to enhance waterfront areas, due consideration should be given to private property owners. Should the opportunity arise, this parcel should be acquired and redeveloped for supporting commercial or recreational uses related to proposed recreational reuse of Wilcox Dock.
- B. Support the dead-ending of Cumberland Avenue to stop auto through traffic but allowing pedestrian/bicycle access.
- C. Explore opportunities to create a cul-de-sac and additional parking.
- D. Explore the possibility of waterfront/recreation/conservation use for abandoned property next to Georgia Pacific.

### **Marina Subarea**

This area is known locally as "the Point", and is the site of some of the earliest settlement in Plattsburgh. Land uses in this area include mixed use residential, commercial, and recreational, with some industrial development. The northernmost areas are occupied by the sewage treatment plant (at the mouth of the Saranac River); the City is currently in the process of installing evergreen screen planting to buffer views of this facility.

The area also contains the former CP rail yards, now known as Dock St. Landing. The rail yards have been relocated to the “new base” area of the former PAFB. The existing storage and operations building has been redeveloped for commercial uses that will support both water- and landside tourism. A waterfront park is planned at the foot of Dock Street directly to its north, and includes elements such as a fountain, spire monument, sculpture and specimen plantings. The waterfront area is also occupied by several existing warehouses. A portion of the area has been listed as the Point Historic District in the National Register of Historic Places (see Map 6).

Residential character should be maintained and protected, with incentives established to encourage improvements to historic structures as well as general enhancements. Any new development should be compatible with the best use. In the long-term, the City should work with private property owners and seek to redevelop buildings in the waterfront area into more water-related uses. The waterfront in this area, as well as in the adjacent Plattsburgh Boat Basin and former CP Rail land areas, is envisioned as a primarily pedestrian environment known as Dock St. Landing. Dock St. Landing is considered the major gateway to the city from the waterside, and is intended for both landside and waterside visitors to enjoy. The City has been working closely with the marina owner to develop it as the centerpiece of Dock St. Landing. This area has the single greatest potential for linking waterfront and downtown revitalization and, as a result, for stimulating economic and community development. Uses would be developed to support and enhance a pedestrian friendly environment; the basic approach will be general clean-up and design detailing that retains all existing buildings.

Proposed water uses in this subarea would be related to the development of Dock St. Landing will continue to include boat slips, docks, dry storage area, related facilities and pedestrian boardwalk/promenade area. In addition, this area is an ideal "reception" area for future tour or excursion boats (for example, day trips to Valcour Island and environs). The City has made a strong start to this effort, with the development of a formal walkway with appropriate lighting and benches for viewing the lake along the waterfront, as well as appropriate lighting along Dock Street.

### **Projects**

The proposed projects for this subarea are designed to further the establishment of the area as a new pedestrian-oriented waterside/landside gateway and hotel/restaurant complex, known as Dock St. Landing. These projects focus on marina improvement, the rail lands, street improvements, development of a waterfront promenade and pedestrian/bicycle trail, parking and traffic control, and boat launch. In terms of waterfront revitalization, projects implemented in this area are expected to have the greatest immediate impact on the city as well as on future waterfront revitalization efforts. The City has received over \$1.1 million in grants from the Department of State EPF-LWRP fund to redevelop this area.

- A. Dock St. Landing: Since the Landing has the potential to become a major entry point into the city, the development of design guidelines is one option to improve the waterfront and landside ambience. These guidelines could include details, such as a bi-level boardwalk around the perimeter of the boat basin with widened stair and ramp access at the west and south ends, to unify the area visually and functionally. Waterfront character would be enhanced with the use of wood piles and swag rope or metal bollards and turnbuckle tensioned guy wire safety barriers. The city should assist property owners with improvements to improve this entire area.
- B. It is recommended that the recreational uses at the mouth of the Saranac River be maintained and enhanced as funding allows, including the removal of debris from the water.
- C. Dock Street should be decoratively paved to provide an attractive surface. Overhead utility wires should be buried, perhaps in a green strip on the south side of Dock Street.
- D. The City should work with the owner of the existing maintenance building facing Dock Street to redevelop this building for commercial use (in the long-term), with the area under the protective overhang treated with special paving such as limestone slabs or unit pavers.
- E. Improve linkages between the downtown and waterfront on the Dock/Bridge Street corridor. The City completed a \$15,000 Environmental Protection Fund grant from the NYS Department of State Division of Coastal Resources and Waterfront Revitalization to conduct a design and linkage study for this corridor, which provides a significant link between the Lake Champlain waterfront and downtown.
- F. A pedestrian walkway with handicapped accessible paving and seating could rim the shoreline perimeter throughout the subarea waterfront.
- G. The tour boat operation should be encouraged and marketed.
- H. Continue to work with property owners to encourage extensive revitalization of the breakwater in this area.
- I. A southern extension of the Heritage Trail bicycle path, this proposed bicycle pathway would bring cyclers from the former PAFB across the passenger rail tracks to the Lake Champlain shoreline (see projects below). Such efforts should also capitalize on the proximity of the U.S. Oval Historic District and amenities of the former Plattsburgh AFB.
- J. Link the mouth of the Saranac River and its fishing, walking and other recreational opportunities, to the increased access at the new Waterfront Park at Dock St. Landing.

## **The Old Base Subarea**

Plattsburgh AFB was closed in 1995. Upon the announcement of closure, the local communities together established the Plattsburgh AirBase Redevelopment Corporation (PARC) to plan for and carry out the redevelopment effort for the former base property and assets. The area known as "the old base" has been listed as the U.S. Oval Historic District in the National Register of Historic Places. Principal uses of the former old base area now include light industrial, research and development, resort residential and recreational use, document.

Water uses are expected to remain essentially the same; the beach/recreation/picnic grounds should continue to be located at Sailors beach and the Marina.

### **Projects**

Since closure of Plattsburgh AFB, the City has constructed a pedestrian pathway along the waterfront on the western edge of the CP Rail Right-of-Way to act as a bypass to NYS Route 9, as called for in the plan already established by the City and County. The trail was funded through a grant received by the City of Plattsburgh from the New York State Department of Transportation. The City installed a 10'-0" wide continuous paved trail with established gateways at key locations. This trail includes a 4'-0" high chain link fence between trail and railroad right-of-way for safety, as well as landscape plantings, periodic shelters, benches, and viewpoint areas. This trail links features and amenities such as the City recreation department and the oval playing field. In addition, the development of historic/cultural/natural resources for interpretive and resource linkage purposes is underway, both for the waterfront area and the entire former Plattsburgh AFB area.

As indicated in the ISTEA grant application developed jointly by the City and County, the remaining project elements currently consist of the following:

- A. Obtain a right-of-way along the eastern edge of the CP Rail tracks from Dock Street at "Dock St. Landing," to the southern end.
- B. Automobile parking for the Dock St. Landing development is proposed for the area adjacent to the former Officer's Club on the "old base." Access to parking lot would be from Peru Street, mainly to serve visitors approaching the waterfront from the south along Route 9. This parking could be expandable as overflow during special events and peak summer weekends. This parking element was not addressed in the ISTEA grant. Although the Officers Club has been demolished and is now residential, there continues to be land at the terminus of the trail at this location that could be used for a small parking lot.

- C. The City should develop a public boat launch in addition to developing an area to accommodate public trailers/trucks at the marina at the former PAFB.

## **B. Proposed Water Uses/ Harbor Management Plan**

There is some potential for increased water uses in the City's waterfront area. There are currently water uses at the municipal beach, the fishing dock at the McDonough Monument, the marina and the tour boat facility at the foot of Dock Street. There is the potential for increased water uses at Wilcox Dock, Dock St. Landing with a boat launch and docks for transient recreational boats, expansion at the marina, use of the beaches at the PARC redevelopment, the proposed waterfront park at Dock St. Landing and additional fishing docks along the Saranac River. In an effort to make optimum use of the waterfront location, to make the waterfront more accessible and to stimulate economic development in the waterfront and downtown, the City should encourage development of water-dependent and water-enhanced uses for the waterfront with those associated water uses.

The City of Plattsburgh recognizes the need to manage the shoreline area of Lake Champlain including its surface waters and has integrated the City of Plattsburgh Harbor Management Plan within the LWRP. A Harbor Management Plan addresses conflict, congestion, and competition for space in the community's surface waters and underwater lands. It provides the opportunity to identify various alternatives for the optimum use of the waterfront and adjacent water surfaces. There are currently the following water use facilities: marina at the foot of Dock Street, tour boat dock at Dock St. Landing, Wilcox Dock, and the municipal beach on Cumberland Bay. These facilities provide the attendant formal water uses in the City, however there are minimal existing harbor management issues. Section II identified related harbor management issues (see Introduction for a full description of where the components of the HMP can be found in the LWRP) concerning water use in the City of Plattsburgh.

The City recognizes the need to provide improved facilities and access for water recreational uses such as fishing and non-motorized boating. The Waterfront District Overlay Zone identifies various alternatives for the optimum use of waterfront and adjacent waters, while preserving its scenic and historic character. The following locations proposed for future water uses include the following:

1. Wilcox Dock with development of a hand boat launch
2. Dock St. Landing with a trailer boat launch and transient docks
3. Possible expansion at the marina
4. Use of the beaches on the Old Base
5. The proposed waterfront park at Dock St. Landing
6. Additional fishing docks along the Saranac River

## **Section V Local Techniques for Implementation**

The Waterfront Revitalization and Coastal Resources Act, or WRCRA, places a great emphasis on the implementation provisions of a LWRP. Specifically, the WRCRA requires local waterfront programs to provide a "description of proposed means for long-term management and maintenance of waterfront development and activities including organizational responsibilities and appropriate land use controls." It further requires "specification of the adequate authority and capability of the local government to implement the program."

This section is designed to accomplish two major goals: to provide sufficient information to the NYS Department of State to determine whether Plattsburgh has met the WRCRA requirements, and to provide the local government with a clear and complete description of the strategy it will follow to implement those elements of the LWRP for which it is responsible. Specific implementation measures are organized under four general headings: local laws necessary to implement the LWRP, other public and private measures necessary to implement the LWRP, management structure necessary to implement the LWRP and financial resources necessary to implement the LWRP.

### **A. Local Laws Necessary to Implement the LWRP**

#### **Local Laws and Regulations**

The City is currently updating its Master Plan and Zoning Ordinance. Existing local laws and regulations previously enacted by the city show little concern for land use and development activities within the waterfront. Local regulations include zoning, enforcement of the NYS Uniform Fire Prevention and Building Code, floodplain regulations, regulation of city parks and regulation of public and private sewers.

#### **Zoning Ordinance and Land Use Regulations**

The City of Plattsburgh Zoning Ordinance has been in effect since 1981, with revisions in 1983, 1988 and 2001 (see Map 8). The general purpose of the zoning ordinance is "promoting the health, safety, morals, convenience, order, prosperity and general welfare of the community..." The ordinance contains seven zoning districts which are outlined as follows

- R-1 Low-Density Residential
- R-2 General Residential

- B-1 General Business
- B-2 Highway Business
- C **Central Business**
- I Industrial
- RC-1 Recreation and Related Uses
- RC-2 Recreation and Related Uses
- RC-3 Recreation and Related Uses
- ???? Residential Historic ( see map 6)**

All districts except B-2 are also located within the LWRP waterfront revitalization area (WRA).

For each district, the ordinance specifies permitted uses, accessory uses, and uses requiring special permits. Supplementary regulations address lot requirements; height requirements; yard requirements; building coverage and open space requirements; number of buildings and dwelling units restricted; accessory structures; landscaping and fencing requirements; planned unit developments; additional lot regulations; amusement uses; community facilities; retail and manufacturing regulations; off-street parking and loading regulations; signs; mobile homes and mobile home parks; miscellaneous uses; general use standards; special use permits; and historic sites. Administrative procedures including issuance of special permits, variances and appeals, plus stipulations on violations, penalties and amendments are also included. Subdivision regulations are listed in Chapter 236 of the Plattsburgh Municipal Code.

The zoning ordinance and related land use controls constitute the city's foremost means of implementing and enforcing the Local Waterfront Revitalization Program. Existing development controls, administrative procedures and enforcement authority established in the ordinance are generally adequate to direct future land use patterns and development activities for the city, although some refinements are needed (see zoning section in inventory and analysis section above). While the site plan review procedures and historic site procedures provide simple and fairly effective regulatory protection for historic structures, several deficiencies should be corrected with new or revised ordinances.

### **ZONING CHANGES**

~~After considering the establishment of a waterfront overlay district to protect the Waterfront Revitalization Area delineated in the City of Plattsburgh's Local Waterfront Revitalization Program (LWRP), the Planning Board expects to establish three new recreational use districts (RC 1, RC 2, and RC 3), which are designed to preserve and enhance Lake Champlain viewsheds. The Comprehensive Master Plan is in the process of revision and adoption and the districts can be defined by the charts at the end~~

of Section 5. The LWRP is intended to be consistent with the City’s Comprehensive Master Plan, adopted in 2001. The recommended zoning revisions for waterfront areas do not affect existing regulations regarding parking, historic resources, definitions, or special review considerations.

### WATERFRONT DISTRICT OVERLAY ZONE CREATION

A Waterfront District Zone, which shall overlay the underlying zoning district, will be created and incorporated into the Zoning Ordinance as a modification. The zoning regulations of the underlying zoning district shall apply to all land within the Waterfront District, except as modified, or permitted to be modified, by the Waterfront District zoning regulations.

All new construction and additions to existing structures located within the Waterfront District shall require Planning Board approval of a site plan.

**Map 10 - Waterfront Overlay District**



In connection with such site plan approval, the Planning Board is granted the authority to vary the area requirements for lots within the Waterfront District in accordance with guidelines to be developed by the County Planning Office for county-wide and city use. The purpose of the guidelines is to encourage

the establishment of Public Viewshed areas to provide an unobstructed view from a public street or other public lands to Lake Champlain.

The following is a description of the Waterfront District Overlay Zone:

Beginning at the intersection of the City Line and Route 314; thence west along Rte. 314 to its intersection with State Route 9 (Margaret Street); thence southwest along State Route 9 to its intersection with Cumberland Avenue; then east and south along Cumberland Avenue to the pedestrian bridge. Across the bridge to the railroad tracks, thence following the Saranac River side of the railroad tracks, encompassing all City-owned property east of the tracks to include the CP Rail Yards, crossing Dock St. from Trackage to the intersection of Jay and Bridge Streets. Then continuing on the East side of Jay Street to where it intersects with Hamilton Street, then west on Hamilton Street to its intersection with Club Road. Thence south on Club Road bearing southeast at the "Y" along President Truman Lane and then following the east side of US Oval to its intersection with Ohio Avenue; thence south east and south along Ohio Avenue to Nevada Oval; thence south along the east side of Nevada Oval to its intersection with Route 9; thence south on Route 9 to the City's southernmost boundaries; thence east along that boundary to Lake Champlain, thence northerly following the city's eastern line to the northernmost boundaries of the Municipal Beach to the point of origin (omitting all R-1 zoned areas).

### **Historic Preservation Ordinance**

It is generally understood that this Waterfront Revitalization Program is meant to address strictly waterfront issues. The fact that two historic districts, Point Historic and U.S. Oval Historic Districts, actually abut the waterfront should be taken into consideration. However, recommendations for Historic Preservation Ordinance should be covered separately within the legal bounds of those two districts.

### **LWRP Consistency Law**

"A Local Law Establishing Consistency Requirements and Review Procedures for City Actions Involving the LWRP Waterfront Area" must be adopted to ensure implementation of the Local Waterfront Revitalization Program. This local law requires each board, department, officer or other body of the city, to ensure that all actions to directly undertake or permit, fund or otherwise approve any project, use or activity within the waterfront be consistent to the maximum extent practicable with the applicable policies established in the City's LWRP.

To this end, the local law establishes procedures for:

- initial review of proposed actions in a manner compatible with SEQRA requirements;

- providing advice and assistance to applicants and/or the boards, departments, officers or other bodies of the city involved, regarding forms, procedures, and site plan review;
- LWRP compliance review through the City Planning Board and the local lead agency, respectively.

To facilitate the consistency review, a Waterfront Program Consistency Assessment Form should be adopted as part of the consistency law and completed by the Planning Board during site plan review.

The amended zoning and site plan review regulations together with the local consistency law provide a comprehensive means of implementing all applicable coastal policies by requiring all proposed actions within the waterfront area to be consistent with the policies and purposes of the city's LWRP.

## **B. Other Public and Private Actions Necessary to Implement the LWRP**

In addition to administering the above-cited local laws, the City and other governmental entities, as well as the private sector, will need to undertake various actions to implement the provisions of this LWRP. The actions outlined below will be implemented over a lengthy period of time, due to the need to procure funding, the need to build community support, and the need to carefully study and/or plan and design each project. The following describe some key actions:

### **Local Actions**

#### Lake Champlain Basin Program

The City should initiate and/or strengthen a relationship with the Lake Champlain Basin Program. Through this relationship, the City can work with other municipalities along Lake Champlain to establish heritage tourism, natural resource and other interpretive programs; scenic byways; and other formal programs designed to attract additional visitors to the waterfront and downtown.

#### Waterfront Education and Awareness Program

The City will develop and implement a waterfront education and awareness program to familiarize residents and visitors with new developments along the City's waterfront, promote the donation of easements in appropriate waterfront areas, and generally increase public involvement.

#### Administration and Enforcement

##### State Environmental Quality Review (SEQRA)

SEQRA is a law that establishes a process that requires the consideration of environmental factors early in the planning stages of actions that are directly undertaken, funded or approved by local, regional and state agencies. The City considers all applicable requirements under (SEQRA) during review of all qualifying projects. SEQRA is incorporated into the site plan review procedures of the City Code. As part

of the LWRP, the City should continue to administer SEQR, especially concerning stormwater management, historic site review, and construction of various sizes.

#### Flood Damage Protection Law

This law requires permits for new construction and improvements to existing structures, as well as other projects involving excavation, filling, grading, etc. within flood hazard areas identified by the Federal Emergency Management Agency. With such a law in place, property owners are eligible for purchase of subsidized flood damage insurance that would not otherwise be available. Projects within the flood hazard area are reviewed to ensure that hazards from flooding are minimized through appropriate standards concerning construction techniques and materials, siting, and protection and maintenance of drainage areas. The law also requires subdivision proposals to be consistent with the need to minimize flood damage. The City Code Enforcement Officer administers this law. Appeals may be made to the Zoning Board of Appeals.

#### Municipal Separate Storm Sewer System (MS4) Program

Under delegation from the federal government, New York State regulates a Stormwater Management General Permit as the framework for managing stormwater in municipalities across the state. Regulations require and operators of regulated Municipal Separate Storm Sewer Systems (MS4s), such as the City of Plattsburgh, to obtain coverage under a general permit for MS4s. The City should continue to administer and implement its local MS4 program, as required by the DEC.

#### Site Plan Review Process

The City currently administers a site plan review process, which applies to most development projects. The Plattsburgh Planning Board should continue to administer the site plan review process, under the proposed zoning revisions pertaining to the LWRP as specified elsewhere in this report.

#### Zoning

As stated previously, there are several zoning revisions proposed as part of this LWRP. The City should continue to administer and enforce the provisions of the zoning ordinance as a way to promote the public health, safety, and general welfare of both the LWRP study area as well as the City at large.

#### **NYS Department of Environmental Conservation**

Through various programs, training, and outreach, DEC provides continuing efforts that control water pollution from all sources so that communities can protect and enhance New York's natural resources. The DEC should continue to administer and enforce the regulations and permit programs, including those pertaining to stormwater, wastewater, wetlands and other navigable waterways, and water quality, as appropriate for the projects proposed in this LWRP.

## **US Army Corps of Engineers**

The mission of the Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters. All construction projects proposed must obtain any necessary Army Corps of Engineers permits, as appropriate.

## **C. Management Structure Necessary to Implement the LWRP**

### **Planning Board**

The Planning Board with assistance from the Community Development Office will continue the efforts of the LWRP and monitor the implementation of the plan.

## **D. Financial Resources Necessary to Implement the LWRP**

The implementation of the project set forth in this Local Waterfront Revitalization Program will require an undetermined amount of public and private funds, as follows:

### **Local**

The City should pursue funding opportunities for the waterfront revitalization projects and provide the necessary match requirements of these funding programs.

### **State**

Continued funding is needed for the completion of the NYS Route 9 Pedestrian Walkway, Dock St. Landing, and Dock/Bridge Street Corridor. Such programs as the Recreational Trail Program for State Parks and Recreation, State E.P.F. funds, and any others should be sought as they become available.

### **Federal**

The City will investigate and pursue federal funding sources for the implementation of waterfront revitalization projects. These sources include the Intermodal Surface Transportation Efficiency Act (ISTEA), which includes the Surface Transportation Program and the National Recreational Trails Funding Program; Land and Water Conservation Funds; National Park Service Urban Parks and Recreation Recovery Grants (UPARR); technical assistance through the National Park Service's Rivers and Trails Conservation Assistance Program; the national Maritime Heritage Preservation Act; the U.S. Department of Housing & Urban Development's Canal Corridor's Initiative and other appropriate programs.

**C.P. Rail**

Funding may be needed for access improvements, such as pedestrian overpasses and traffic signal improvements.

**Other Private**

It is increasingly unlikely that government funding will be available for all of the City's waterfront revitalization efforts. As a result, additional waterfront revitalization funding should be sought from local foundations and corporations. The Georgia Pacific Corporation has been known to provide funding to support community development. Other potential sources of private funding or other assistance include the National Trust for Historic Preservation, Trust for Public Land, Partners for Livable Places, the Pew Charitable Trust, the Enterprise Foundation, Ford Foundation, The Waterfront Development Center, Land Trust, Trust for Public Land and similar organizations.

At the local and regional level, the City should establish relationships with developers and marina owners, and work closely with all private property owners in the LWRP waterfront revitalization area to plan improvements. To stimulate additional waterfront development and encourage improvements, the City may have to establish a system of incentives (disincentives to discourage inappropriate development). The main goal is to encourage a balance of development and publicly-accessible open land.

## **Section VI State Actions and Programs Likely to Affect Implementation**

State actions will affect and be affected by implementation of the LWRP. Under State law certain State actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. The lists of State actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State agency actions which are necessary to further implementation of the LWRP. It is recognized that a State agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements cannot be used to require a State agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State assistance needed to implement the LWRP.

**A. State Actions and Federal Programs Which Should Be Undertaken in a Manner Consistent with the LWRP**

1. STATE AGENCIES

OFFICE FOR THE AGING

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs.
- 4.00 Permit and approval programs:
  - 4.01 Custom Slaughters/Processor Permit
  - 4.02 Processing Plant License
  - 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and Approval Programs:
  - 1.01 Ball Park - Stadium License
  - 1.02 Bottle Club License
  - 1.03 Bottling Permits
  - 1.04 Brewer's Licenses and Permits
  - 1.05 Brewer's Retail Beer License
  - 1.06 Catering Establishment Liquor License
  - 1.07 Cider Producer's and Wholesaler's Licenses
  - 1.08 Club Beer, Liquor, and Wine Licenses
  - 1.09 Distiller's Licenses
  - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
  - 1.11 Farm Winery and Winery Licenses

- 1.12 Hotel Beer, Wine, and Liquor Licenses
- 1.13 Industrial Alcohol Manufacturer's Permits
- 1.14 Liquor Store License
- 1.15 On-Premises Liquor Licenses
- 1.16 Plenary Permit (Miscellaneous-Annual)
- 1.17 Summer Beer and Liquor Licenses
- 1.18 Tavern/Restaurant and Restaurant Wine Licenses
- 1.19 Vessel Beer and Liquor Licenses
- 1.20 Warehouse Permit
- 1.21 Wine Store License
- 1.22 Winter Beer and Liquor Licenses
- 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
  - 3.01 Letter Approval for Certificate of Need
  - 3.02 Operating Certificate (Alcoholism Facility)
  - 3.03 Operating Certificate (Community Residence)
  - 3.04 Operating Certificate (Outpatient Facility)
  - 3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

- 1.00 Permit and approval programs:
  - 1.01 Authorization Certificate (Bank Branch)

- 1.02 Authorization Certificate (Bank Change of Location)
- 1.03 Authorization Certificate (Bank Charter)
- 1.04 Authorization Certificate (Credit Union Change of Location)
- 1.05 Authorization Certificate (Credit Union Charter)
- 1.06 Authorization Certificate (Credit Union Station)
- 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
- 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
- 1.09 Authorization Certificate (Investment Company Branch)
- 1.10 Authorization Certificate (Investment Company Change of Location)
- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)

1.30 Authorization to Establish a Life Insurance Agency

1.31 License as a Licensed Lender

1.32 License for a Foreign Banking Corporation Branch

#### DEPARTMENT OF CORRECTIONAL SERVICES

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

#### DORMITORY AUTHORITY OF THE STATE OF NEW YORK

1.00 Financing of higher education and health care facilities.

2.00 Planning and design services assistance program.

#### DEPARTMENT OF ECONOMIC DEVELOPMENT

1.00 Preparation or revision of statewide or specific plans to address State economic development needs.

2.00 Allocation of the state tax-free bonding reserve.

#### EDUCATION DEPARTMENT

1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Certification of Incorporation (Regents Charter)

2.02 Private Business School Registration

2.03 Private School License

2.04 Registered Manufacturer of Drugs and/or Devices

2.05 Registered Pharmacy Certificate

2.06 Registered Wholesale of Drugs and/or Devices

2.07 Registered Wholesaler-Repacker of Drugs and/or Devices

2.08 Storekeeper's Certificate

#### ENERGY PLANNING BOARD AND ENERGY OFFICE

1.00 Preparation and revision of the State Energy Master Plan.

#### NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

#### DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
  - 4.01 Capital projects for limiting air pollution
  - 4.02 Cleanup of toxic waste dumps
  - 4.03 Flood control, beach erosion and other water resource projects
  - 4.04 Operating aid to municipal wastewater treatment facilities
  - 4.05 Resource recovery and solid waste management capital projects
  - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
  - (a) Water Quality Improvement Projects
  - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:
  - Air Resources
    - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
    - 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
    - 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
    - 9.04 Permit for Burial of Radioactive Material
    - 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
    - 9.06 Permit for Restricted Burning
    - 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbance
- 9.23 Permit - Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.28 Floating Object Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
  - 9.32 License of Menhaden Fishing Vessel
  - 9.33 License for Non-Resident Food Fishing Vessel
  - 9.34 Non-Resident Lobster Permit
  - 9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
  - 9.36 Permits to Take Blue-Claw Crabs
  - 9.37 Permit to Use Pond or Trap Net
  - 9.38 Resident Commercial Lobster Permit
  - 9.39 Shellfish Bed Permit
  - 9.40 Shellfish Shipper's Permits
  - 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
  - 9.42 Permit - Article 25, (Tidal Wetlands)
- Mineral Resources
- 9.43 Mining Permit
  - 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
  - 9.45 Underground Storage Permit (Gas)
  - 9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)
- Solid Wastes
- 9.47 Permit to Construct and/or Operate a Solid Waste Management Facility
  - 9.48 Septic Tank Cleaner and Industrial Waste Collector Permit
- Water Resources
- 9.49 Approval of Plans for Wastewater Disposal Systems
  - 9.50 Certificate of Approval of Realty Subdivision Plans
  - 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
  - 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
  - 9.53 Permit - Article 36, (Construction in Flood Hazard Areas)
  - 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas

- 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.56 Approval -Drainage Improvement District
- 9.57 Approval - Water (Diversion for) Power
- 9.58 Approval of Well System and Permit to Operate
- 9.59 Permit - Article 15, (Protection of Water) - Dam
- 9.60 Permit - Article 15, Title 15 (Water Supply)
- 9.61 River Improvement District Approvals
- 9.62 River Regulatory District Approvals
- 9.63 Well Drilling Certificate of Registration
- 9.64 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.
- 12.00 Preparation and revision of Statewide Environmental Plan.
- 13.00 Protection of Natural and Man-made Beauty Program.
- 14.00 Urban Fisheries Program.
- 15.00 Urban Forestry Program.
- 16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Approval of Completed Works for Public Water Supply Improvements
  - 2.02 Approval of Plans for Public Water Supply Improvements.
  - 2.03 Certificate of Need (Health Related Facility - except Hospitals)
  - 2.04 Certificate of Need (Hospitals)
  - 2.05 Operating Certificate (Diagnostic and Treatment Center)
  - 2.06 Operating Certificate (Health Related Facility)
  - 2.07 Operating Certificate (Hospice)
  - 2.08 Operating Certificate (Hospital)
  - 2.09 Operating Certificate (Nursing Home)
  - 2.10 Permit to Operate a Children's Overnight or Day Camp
  - 2.11 Permit to Operate a Migrant Labor Camp
  - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
  - 2.13 Permit to Operate a Service Food Establishment
  - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
  - 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
  - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
  - 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL AND ITS SUBSIDIARIES AND AFFILIATES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
  - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
  - 2.02 Housing Development Fund Programs
  - 2.03 Neighborhood Preservation Companies Program
  - 2.04 Public Housing Programs
  - 2.05 Rural Initiatives Grant Program

- 2.06 Rural Preservation Companies Program
  - 2.07 Rural Rental Assistance Program
  - 2.08 Special Needs Demonstration Projects
  - 2.09 Urban Initiatives Grant Program
  - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 2.00 Affordable Housing Corporation

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Operating Certificate (Community Residence)
  - 2.02 Operating Certificate (Family Care Homes)
  - 2.03 Operating Certificate (Inpatient Facility)
  - 2.04 Operating Certificate (Outpatient Facility)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Establishment and Construction Prior Approval
  - 2.02 Operating Certificate Community Residence
  - 2.03 Outpatient Facility Operating Certificate

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

1.00 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commission)

1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.

2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

3.00 Funding program for recreational boating, safety and enforcement.

4.00 Funding program for State and local historic preservation projects.

5.00 Land and Water Conservation Fund programs.

6.00 Nomination of properties to the Federal and/or State Register of Historic Places.

7.00 Permit and approval programs:

7.01 Floating Objects Permit

7.02 Marine Regatta Permit

7.03 Navigation Aide Permit

7.04 Posting of Signs Outside State Parks

8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.

9.00 Recreation services program.

10.00 Urban Cultural Parks Program.

POWER AUTHORITY OF THE STATE OF NEW YORK

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

1.00 Corporation for Innovation Development Program.

2.00 Center for Advanced Technology Program.

DEPARTMENT OF SOCIAL SERVICES

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
  - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
  - 3.02 Operating Certificate (Children's Services)
  - 3.03 Operating Certificate (Enriched Housing Program)
  - 3.04 Operating Certificate (Home for Adults)
  - 3.05 Operating Certificate (Proprietary Home)
  - 3.06 Operating Certificate (Public Home)
  - 3.07 Operating Certificate (Special Care Home)
  - 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
  - 4.01 Billiard Room License
  - 4.02 Cemetery Operator
  - 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

THRUWAY AUTHORITY /CANAL CORPORATION/CANAL RECREATIONWAY COMMISSION (regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land and other resources under the jurisdiction of the Thruway Authority, Canal Corporation, and Canal Recreationway Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

- 3.00 Permit and approval programs:
  - 3.01 Advertising Device Permit
  - 3.02 Approval to Transport Radioactive Waste
  - 3.03 Occupancy Permit
  - 3.04 Permits for use of Canal System lands and waters.

4.00 Statewide Canal Recreationway Plan

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
  - (a) Highways and parkways
  - (b) Bridges on the State highways system
  - (c) Highway and parkway maintenance facilities
  - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
  - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
  - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
  - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
  - 3.04 Subsidies program for marginal branchlines abandoned by Conrail
  - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
  - 4.01 Approval of applications for airport improvements (construction projects)
  - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
  - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities

- 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
- 4.05 Certificate of Convenience and Necessity to Operate a Railroad
- 4.06 Highway Work Permits
- 4.07 License to Operate Major Petroleum Facilities
- 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
- 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and subarea or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
  - (a) Tax-Exempt Financing Program
  - (b) Lease Collateral Program
  - (c) Lease Financial Program
  - (d) Targeted Investment Program
  - (e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects.
- 4.00 Administration of State-funded capital grant programs.

DIVISION OF YOUTH

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

**B. State Programs Necessary to Further the LWRP**

STATE AGENCIES

DEPARTMENT OF ECONOMIC DEVELOPMENT

1. Any action or provision of funds for the development or promotion of tourism related activities or development.
2. Any action involving the Seaway Trail.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1. Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
2. Advance assistance under the Small Communities and Rural Wastewater Treatment Grant Program and a subsequent construction grant subsidy.
3. Review of actions within National Register Districts pursuant to SEQR.

DIVISION OF HOUSING AND COMMUNITY RENEWAL

1. Provision of funding under the Rural Preservation Company Program.
2. Approval of funding for Rural Area Revitalization Program projects.

JOB DEVELOPMENT AUTHORITY

1. Provision of low interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
2. Provision of funding for State and local activities from the Land and Water Conservation Fund.
3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Certification of properties within the National Register Districts.
5. Provision of funding for State and local historic preservation activities.
6. Review of Type I actions within the National Historic Districts.
7. Activities under the Urban Cultural Park program.

DEPARTMENT OF STATE

1. Provision of funding for the implementation of an approved LWRP.
2. Provision of funding under the Community Services Block Grant program.

COUNCIL ON THE ARTS

1. Assistance from the Architecture and Environmental Arts program for a harborfront plan.

DEPARTMENT OF TRANSPORTATION

1. Assistance for street repairs through the Consolidated Highway Improvements Program.

## **Section VII: Local Commitment & Consultation**

In establishing the Local Waterfront Revitalization Program, the Project Team worked closely with the City's Community Development Department, and relied on the efforts of the Downtown Future Planning Commission, the Point Historic District Commission, and the Waterfront Advisory Committee. The Project Team also made extensive use of public comments obtained as part of the various Lake Champlain Basin Program studies and technical reports referenced above, attended several public meetings in Plattsburgh, conducted telephone interviews with Realtors, and held a series of four focus group meetings with residents from each of the LWRP subareas.

A meeting with a group of residents from the Point neighborhood was used to gather public input on the LWRP for the Marina Subarea. The November 29, 1995 meeting took the format of an informal design and planning charette. A progress report on the LWRP was provided by the consultant, sketch maps showing the proposed boundaries were distributed, and input was sought on three major areas: the entire City waterfront, the Point subarea, and the Harbor marina and railyards adjacent to the Historic District.

On January 9, 1996 the consultant team participated in SUNY design student presentations regarding design and development considerations for the downtown and Dock Street corridor areas and several meetings were held with local property owners.

As the LWRP draft was nearing completion in August, 1996, EastWest Planning (Riverstreet Planning) staff and a representative from the Department of State's Division of Coastal Resources and Waterfront Revitalization made a presentation to Plattsburgh's Mayor and City Council, requesting guidance and input regarding the creation of a Waterfront Advisory Committee, specific waterfront revitalization projects and potential local techniques for implementation.

On December 17, 1997, representatives from EastWest Planning & Development (Riverstreet Planning) conducted a series of four focus group meetings designed to elicit resident input regarding projects and ideas for each of the LWRP subareas. Approximately 25 people attended these meetings, of which the following signed in:

Paige Raville  
John S. Tanner  
Louise K. Tanner  
Larry & Louise Blossom  
Wayne H. Byrne

Frank Pabst  
George J. Bouyea  
David [name illegible]  
Jaimie Trautman  
Peggy Conroy & Laurie Gillett

Muhib "Mo" Hilweh

Howard Kemp II

Nancy Olsen

Donna Drumm

Art Spiegel

John LaDuke

\* NOTE: Conroy & Gillet are geologists who would like to see geological features more widely interpreted, protected, and visited.

Several participants suggested strongly that the Lake Champlain Basin Program be included in the LWRP process.

MEETING NOTES:

During each meeting, the consultants introduced themselves and gave a brief report on the state's local waterfront revitalization program and the current status of the Plattsburgh LWRP.

In addition to these efforts, a waterfront advisory committee was formally established by the Plattsburgh Community Development director in the autumn of 1996. This group met on October 24, 1996; November 14, 1996; November 26, 1996; December 11, 1996; January 21, 1997; January 30, 1997; February 6, 1997; February 11, 1997; February 13, 1997; February 25, 1997 and March 20, 1997 for the purpose of commenting on and revising the draft local waterfront revitalization program. The Waterfront Advisory Committee includes the following members:

Rodney Brown, Clinton County Planning Office

Rosemarie Schoonmaker, City of Plattsburgh Community Development Office

Dr. K. Dahlen, Eye Care of the Adirondacks

Kay Hubbell, Lake Champlain Pools

Art Spiegel, Trans Border Custom Services, Inc.

Paige Raville, Lakeside Container Corporation

Councilor Chris Rotella, City of Plattsburgh Common Council

Larry and Rita Blossom, City residents

John S. Tanner, City resident

Sally Tourville, City resident

R. J. Fredette, interested party

As noted above, the Waterfront Advisory Committee has met numerous times and has reviewed the entire draft LWRP document in depth. A conclusion was made that the city does have public waterfront access, but it is not effectively utilized at present. The Committee cited Heritage Trail, City Beach, one mile frontage at former air base, Wilcox Dock and Riverwalk as suitable places for additional development, but indicated that only very limited opportunities existed for new activities on existing private property. The Committee also noted that the waterfront was only utilized during three months of the year.

### **North End**

Participants mainly represented Willow Beach homeowners (18 units along Scotion Creek), but addressed waterfront concerns and issues for the whole waterfront area. Although they recognized the tremendous potential of the entire waterfront area, the homeowners were concerned about personal liability issues, since many beach visitors use Willow Beach's steps down to the waterfront (because of a lack of other access points). Proper signage and access to beach and across Scotion Creek is needed. In addition, residents noted that Scotion Creek is no longer just a wetland, it is an actual waterway which floods with increasing frequency. The City needs to control access along to the dunes and along the creek. Residents have begun taking out flood insurance in this area (a relatively new thing). Several people also indicated that the City needs to work closely with NYSDOT regarding bridge replacement at North Margaret Street. Another major issue concerned general waterfront cleanliness (this was an issue in all subzone meetings). Residents indicated that many boaters anchored just off the beach, then waded inland, leaving trash and human waste. Floating trash is also a problem. It was believed that pump-out facilities are located at the State beach and City marina, but additional facilities and signage are needed.

Most respondents did not seem to mind the idea of a mixed use waterfront, but felt that a continuous waterfront trail would be impractical owing to continuing erosion, buildings, and industrial uses.

One participant stated that the picnic pavilion is not readily accessible to local families, since parking is only available at the City Beach and must be paid for; it was perceived that parking fees are too high. It was suggested that the City work with the bike path group focusing on Cumberland Head. Willow Beach residents suggested that the street-end be deeded to the City, with the City then providing more formalized access to the waterfront as well as a bridge across Scotion Creek.

With regard to the Cumberland Avenue/Wilcox Dock subarea, it was observed that sea planes used to fly in and out. Trash removal and protection of public from PCBs and other contamination was a priority- residents of Cumberland Avenue and Point View Terrace lakefront properties noted that trash removal is a constant effort. It was suggested that the City could coordinate with local college service sororities and fraternities to establish a clean-up program was received with mixed, but by no means majority enthusiasm by those present.

### **Cumberland Avenue/Wilcox Dock**

One respondent felt that this area should be left in its current condition, with nature allowed to take its course. Most of the others felt that this area could be put to better use, but were very concerned about contamination resulting from previous uses. There was also a concern that additional development or improvements would result in too many new visitors and an increase in conflicts between users. Since

much of this subzone is residential, with waterfront areas representing some of the city's prime housing, this is a particularly legitimate concern.

Most of the comments expressed during this meeting concerned the waterfront area as a whole. Participants suggested that the city work together with various planning and special interest groups to improve and capitalize on the waterfront, that interpretive and directional signage be developed and implemented, that the railroad be moved inland, and that incentives be developed to attract people to the downtown. One of the most vocal and optimistic participants was a business owner and immigrant from Europe. He stated that he had selected Plattsburgh over numerous other places in the U.S. and indicated that city residents suffer from a generalized "contamination of the mind." He suggested that the city build on current positive momentum, improve the city's image, encourage and assist in the development of new specialty stores and businesses for downtown.

In terms of specific projects and waterfront revitalization implementation techniques, participants suggested the development of a Margaret Street/Durkee Street walkway. The group felt strongly that a careful study of the various remediation alternatives proposed, should be made of the Wilcox Dock area before any alternatives are implemented. Presented with the recommendation that Point View Terrace neighborhood be designated a historic district, several respondents stated that NYS and local groups had already surveyed the city over the course of the past 20 years, and had completed all possible individual and district nominations to the National Register of Historic Places.

### **Marina Subarea**

Participants at this meeting focused on the tremendous need for additional public access to the waterfront, the need to build on existing assets, and general beautification and improvement. It was also mentioned that GIS mapping was being completed by Saratoga Associates, the firm currently preparing a new master plan for the city. Generally, the group felt that there is a need for smaller improvement projects that can be completed quickly. Suggestions included putting utility lines underground, repaving Dock Street with original (historic) materials, installation of compatible lighting, general clean up, improved signage and interpretation (particularly as a means of attracting visitors to the marina, Juniper and downtown), and strengthening of the connections between the Heritage Trail and former baselands.

Several participants cited examples of successful waterfront revitalization projects in Burlington, Vermont and San Francisco, California and indicated that Plattsburgh should pursue similar mixed-use development blending recreational, scenic, historic, commercial, industrial, and environmental assets.

Several residents noted that public access has been possible only in a few small areas, including the foot of Dock/Bridge Street (marina), Juniper area (which is now closed off due to crime and vandalism), Riverwalk. Suggestions for potential projects included getting access to and improving the small beaches

on the former Air Force base, improving the Green-Dock-Jay Street area for access, establishing a Revolutionary War Park, building a steel pier at city beach, and improved signage. The railyard and railroad tracks were considered a problem, with respondents indicating that the railyard is the last place on the Lake where it is possible to transfer cargo, and that the city needs to negotiate with C.P. Rail regarding usage of the right-of-way and safety/cleanliness monitoring.

Participants also suggested that the city consider projects in the short-, intermediate- and long-term.

### **Former Plattsburgh Air Force Base**

NOTE: The base is now almost totally unoccupied; participants at this meeting therefore consisted of residents from other parts of the city.

Participants in this meeting agreed that the city needs to work closely with PARC to establish and/or maintain public waterfront access on the former base lands. This group also emphasized that, in spite of the city's location on Lake Champlain, public access areas are extremely limited and overcrowded. Specific project suggestions included:

- Better interpretation, through the development of learning stations, for example: lakefront rock outcroppings to facilitate scientific education. Similar suggestions included creating nature walks, waterfront and roadside geology, etc. guides working with SUNY Plattsburgh (and various groups) to establish an aquatic research center
- Establishing a small interpretive center with exhibits focusing on science, nature, culture, history etc.
- Adopt-a-waterfront area clean-up programs
- Installation of additional trash receptacles
- Providing marketing assistance to Juniper, marina, city beach, downtown businesses

This group felt strongly that most city residents fail to take advantage of the city's waterfront location owing to a general lack of access. They also emphasized the importance of balancing residential and recreational (boating) uses.

## **Appendix A      Consistency Law**

### **CITY OF PLATTSBURGH**

Be it enacted by the Common Council of the City of Plattsburgh follows:

#### **GENERAL PROVISIONS**

**I.      Title.**

This Local law will be known as the City of Plattsburgh Waterfront Consistency Review Law.

**II.     Authority and Purpose.**

- A.     This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).
- B.     The purpose of this local law is to provide a framework for agencies of the City of Plattsburgh to incorporate the policies and purposes contained in the City of Plattsburgh Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions within the coastal area; and to assure that such actions and direct actions by City agencies are consistent with the LWRP policies and purposes.
- C.     It is the intention of the City of Plattsburgh that the preservation, enhancement and utilization of the unique coastal area of the City take place in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate limited population growth and economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of coastal resources while preventing loss and degradation of living coastal resources and wildlife; diminution of open space areas or public access to the waterfront; disruption of natural coastal processes; impairment of scenic, cultural or historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.
- D.     The substantive provisions of this local law shall only apply when there is in existence a City of Plattsburgh Local Waterfront Revitalization Program which has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

**III. Definitions.**

- A. "Actions" include all the following, except minor actions:
- (1) projects or physical activities, such as construction or any other activities that may affect natural, manmade or other resources in the coastal area or the environment by changing the use, appearance or condition of any resource or structure, that:
    - (i) are directly undertaken by an agency; or
    - (ii) involve funding by an agency; or
    - (iii) require one or more new or modified approvals, permits, or review from an agency or agencies;
  - (2) agency planning and policymaking activities that may affect the environment and commit the agency to a definite course of future decisions;
  - (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect coastal resources or the environment; and
  - (4) any combination of the above.
- B. "Agency" means any board, agency, department, office, other body, or officer of the City of Plattsburgh.
- C. "Coastal area" means that portion of New York State coastal waters and adjacent shorelands as defined in Article 42 of the Executive Law which is located within the boundaries of the City of Plattsburgh, as shown on the coastal area map on file in the office of the Secretary of State and as delineated in the City of Plattsburgh Local Waterfront Revitalization Program (LWRP).
- D. "Coastal Assessment Form (CAF)" means the form, a sample of which is appended to this local law, used by an agency to assist in determining the consistency of an action with the Local Waterfront Revitalization Program.
- E. "Consistent" means that the action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.
- F. "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to a capital project, rule making, procedure making and policy making.
- G. "Environment" means all conditions, circumstances and influences surrounding and affecting the development of living organisms or other resources in the coastal area.

- H. "Local Waterfront Revitalization Program" or "LWRP" means the Local Waterfront Revitalization Program of the City of Plattsburgh, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Clerk of the City of Plattsburgh.
- I. "Minor actions" include the following actions, which are not subject to review under this chapter:
- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
  - (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas designated by the Coastal Erosion Hazard Area (CEHA) law where structures may not be replaced, rehabilitated or reconstructed without a permit;
  - (3) repaving or widening of existing paved highways not involving the addition of new travel lanes;
  - (4) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
  - (5) maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected, or within Significant Coastal Fish and Wildlife Habitat areas;
  - (6) granting of individual setback and lot line variances, except in relation to a regulated natural feature, a bulkhead or other shoreline defense structure;
  - (7) minor temporary uses of land having negligible or no permanent impact on coastal resources or the environment;
  - (8) installation of traffic control devices on existing streets, roads and highways;
  - (9) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
  - (10) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any action;
  - (11) official acts of a ministerial nature involving no exercise of discretion, including building where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building code.

- (12) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (13) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (14) collective bargaining activities;
- (15) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (16) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (17) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, storage of road de-icing substances, or other hazardous materials;
- (18) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- (19) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
- (20) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
- (21) adoption of a moratorium on land development or construction;
- (22) interpreting an existing code, rule or regulation;
- (23) designation of local landmarks or their inclusion within historic districts;
- (24) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to coastal resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
- (25) local legislative decisions such as rezoning where the Common Council determines the action will not be approved.

**IV. Management and Coordination of the LWRP**

- A. The City of Plattsburgh Planning Board shall be responsible for coordinating review of actions in the City's coastal area for consistency with the LWRP, and will advise, assist and make consistency recommendations to other City agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program.
- B. The Planning Board shall coordinate with the New York State Department of State regarding consistency review of actions by Federal agencies and with State agencies regarding consistency review of their actions.
- C. The Planning Board shall assist the Common Council in making applications for funding from State, Federal, or other sources to finance projects under the LWRP.
- D. The Planning Board shall perform other functions regarding the coastal area and direct such actions or projects as the Common Council may deem appropriate, to implement the LWRP.

**V. Review of Actions.**

- A. Whenever a proposed action is located within the City's coastal area, each City agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in Section H herein. No action in the coastal area shall be approved, funded or undertaken by that agency without such a determination.
- B. Whenever a City agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the coastal area, the agency shall refer a copy of the completed CAF to the Planning Board within ten (10) days of its receipt and prior to making its determination, shall consider the recommendation of the Planning Board with reference to the consistency of the proposed action.
- C. After referral from an agency, the Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards set forth in Section H herein. The Planning Board shall require the applicant to submit all completed applications, CAFs, EAFs, and any other information deemed necessary to its consistency recommendation.

The Planning Board shall render its written recommendation to the agency within thirty (30) days following referral of the CAF from the agency, unless extended by mutual agreement of the Planning Board and the applicant or in the case of a direct action, the agency. The Planning Board's recommendation shall indicate whether the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and shall elaborate in writing the basis for its opinion. The Planning Board shall, along with a consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the

imposition of conditions, to make it consistent with LWRP policy standards or to greater advance them.

In the event that the Planning Board's recommendation is not forthcoming within the specified time, the agency shall make its consistency decision without the benefit of the Council's recommendation.

- D. If an action requires approval of more than one City agency, decision making will be coordinated between the agencies to determine which agency will conduct the final consistency review, and that agency will thereafter act as designated consistency review agency for the specific action being reviewed. Only one CAF per action will be prepared. If the agencies cannot agree, the Common Council shall designate the consistency review agency.
- E. Upon receipt of the Planning Board's recommendation, the agency shall consider whether the proposed action is consistent with the LWRP policy standards summarized in Section H herein. The agency shall consider the consistency recommendation of the Council, the CAF and other relevant information in making its written determination of consistency. No approval or decision shall be rendered for an action in the coastal area without a written determination of consistency having first been rendered by a City agency.

The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Planning Board in the event and at the time it makes a decision to grant such a variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of this law.
- F. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies standards in Section H and include a thorough discussion of the effects of the proposed action on such policy standards.
- G. In the event the Planning Board's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and state the manner and extent to which the action is consistent with the LWRP policy standards.
- H. Actions to be undertaken within the coastal area shall be evaluated for consistency in accordance with the following summary of LWRP policy standards, which are derived from and further explained and described in Section III (Policies) of the City of Plattsburgh LWRP, a copy of which is on file in the City Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions must also consult with Section IV (Proposed Uses and Projects), in making their consistency determination. The action must be consistent with the policies to:

- (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, increases opportunities for public access, and minimizes adverse effects of development. (Policy 1)
  - (2) Protect water-dependent uses, promote siting of new water-dependent uses in suitable locations, and support efficient harbor operation. (Policy 2)
  - (3) Provide additional public access and recreational opportunities to Lake Champlain and the Saranac River and their shorelines. (Policy 3)
  - (4) Preserve historic and cultural resources. (Policy 4)
  - (5) Enhance visual quality and protect outstanding scenic resources. (Policy 5)
  - (6) Protect and restore ecological resources, including significant habitats, wetlands and rare ecological communities. Promote sustainable use of fish and wildlife resources. (Policy 6)
  - (7) Protect and improve water resources. (Policy 7)
  - (8) Minimize loss of life, structures, and natural resources from flooding and erosion. (Policy 8)
  - (9) Best management practices will be used to ensure the control of stormwater runoff, combined sewer overflows, and the non-point discharge of excess nutrients, organics, and eroded soils into Lake Champlain and the Saranac River. (Policy 9)
  - (10) Dredging, dredge spoil and excavation will be undertaken in a manner which protects fish and wildlife habitats, scenic resources, natural protective features, and wetlands, and does not cause an increase in the erosion of such land. (Policy 10)
  - (11) Minimize environmental degradation from solid waste and hazardous substances and wastes. (Policy 11)
- I. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Planning Board. Such files shall be made available for public inspection upon request.

**VI. Enforcement.**

No action within the Plattsburgh coastal area which is subject to review under this Chapter shall proceed until a written determination has been issued from a City agency that the action is consistent with the City's LWRP policy standards. In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Building Inspector or any other authorized official of the City shall issue a stop work order and all work shall immediately cease. No further work or activity shall be

undertaken on the project so long as a stop work order is in effect. The City Building Inspector, City Attorney, Code Enforcement Officer and Police Department shall be responsible for enforcing this Chapter.

**VII. Violations.**

- A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this Chapter shall have committed a violation, punishable by a fine not exceeding two hundred and fifty dollars (\$250.00) for a conviction of a first offense and punishable by a fine of two thousand dollars (\$2000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.
- B. The City Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

**VIII. Severability.**

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law as a whole or any part or provision hereof other than the provision so found to be invalid.

**IX. Effective Date.**

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**COASTAL ASSESSMENT FORM**

**A. INSTRUCTIONS** (Please print or type all answers)

1. Applicants, or in the case of direct actions, City of Plattsburgh agencies, shall complete this CAF for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by a City of Plattsburgh agency in making a determination of consistency.

2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the City of Plattsburgh Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

3. If any questions in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

**B. DESCRIPTION OF SITE AND PROPOSED ACTION**

**1. Type of agency action** (check appropriate response):

- (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) -----
- (b) Financial assistance (e.g. grant, loan, subsidy) -----
- (c) Permit, approval, license, certification -----
- (d) Agency undertaking action: -----

**2. Describe nature and extent of action:** -----  
-----  
-----  
-----  
-----  
-----  
-----

**3. Location of action** (Street or Site Description): -----  
-----  
-----

**4. Size of site:** -----

**5. Present land use:** -----

**6. Present zoning classification:** -----

**7. Describe any unique or unusual land forms on the project site** (i.e. steep slopes, swales, ground depressions, other geological formations): -----  
-----  
-----

**8. Percentage of site which contains slopes of 15% or greater:** -----

**9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?**

(a) Name: -----  
-----

(b) Size (in acres): -----  
-----

**10. If an application for the proposed action has been filed with the agency, the following information shall be provided:**

(a) Name of applicant: -----

(b) Mailing address: -----

(c) Phone: -----

(d) Application number, if any: -----

<b>11. Will the action be directly undertaken, require funding, or approval by a state or federal agency?</b>	<b>Yes</b>	<b>No</b>
	----	----

(a) If yes, which state or federal agency? -----  
-----

**C. COASTAL ASSESSMENT**

(Check either "Yes" or "No" for each of the following questions)

- 1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map:**      **Yes**      **No**
- (a) Significant fish or wildlife habitats?      -----      -----
- (b) Scenic resources of local or statewide significance?      -----      -----
- (c) Historic resources of local or statewide significance?      -----      -----
- (d) Natural protective features in an erosion hazard area?      -----      -----

If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

- 2. Will the proposed action have a significant effect upon:**      **Yes**      **No**
- (a) Commercial or recreational use of fish and wildlife resources?      -----      -----
- (b) Scenic quality of the coastal environment?      -----      -----
- (c) Development of future, or existing water dependent uses?      -----      -----
- (d) Operation of the State's major ports?      -----      -----
- (e) Land or water uses within a small harbor area?      -----      -----
- (f) Stability of the shoreline?      -----      -----
- (g) Surface or groundwater quality?      -----      -----
- (h) Existing or potential public recreation opportunities?      -----      -----
- (i) Structures, sites or districts of historic, archeological or cultural significance to the City of Plattsburgh, State or nation?      -----      -----

- 3. Will the proposed action involve or result in any of the following**      **Yes**      **No**
- (a) Physical alteration of land along the shoreline, land under water or coastal waters?      -----      -----
- (b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?      -----      -----
- (c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?      -----      -----
- (d) Energy facility not subject to Article VII or VIII of the Public Service Law?      -----      -----

	(e) Mining, excavation, filling or dredging in coastal waters?	----	----
	(f) Reduction of existing or potential public access to or along the shore?	----	----
	(g) Sale or change in use of publicly-owned lands located on the shoreline or under water?	----	----
	(h) Development within a designated flood or erosion hazard area?	----	----
	(i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	----	----
	(j) Construction or reconstruction of erosion protective structures?	----	----
	(k) Diminished surface or groundwater quality?	----	----
	(l) Removal of ground cover from the site?	----	----
<b>4.</b>	<b>PROJECT</b>	<b>Yes</b>	<b>No</b>
	(a) If a project is to be located adjacent to shore:		
	(1) Will water-related recreation be provided?	----	----
	(2) Will public access to the foreshore be provided	----	----
	(3) Does the project require a waterfront site?	----	----
	(4) Will it supplant a recreational or maritime use?	----	----
	(5) Do essential public services and facilities presently exist at or near the site?	----	----
	(6) Is it located in a flood prone area?	----	----
	(7) Is it located in an area of high erosion?	----	----
	(b) If the project site is publicly owned:		
	(1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	----	----
	(2) If located in the foreshore, will access to those and adjacent lands be provided?	----	----
	(3) Will it involve the siting and construction of major energy facilities?	----	----
	(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into coastal facilities?	----	----

- (c) Is the project site presently used by the community neighborhood as an open space or recreation area? -----
- (d) Does the present site offer or include scenic views or vistas known to be important to the community? -----
- (e) Is the project site presently used for commercial fishing or fish processing? -----
- (f) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal? -----
- (g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project? -----
- (h) Will the project involve any waste discharges into coastal waters? -----
- (i) Does the project involve surface or subsurface liquid waste disposal -----
- (j) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials? -----
- (k) Does the project involve shipment or storage of petroleum products? -----
- (l) Does the project involve discharge of toxics, hazardous substances or other pollutants into coastal waters? -----
- (m) Does the project involve or change existing ice management practices? -----
- (n) Will the project affect any area designated as a tidal or freshwater wetland? -----
- (o) Will the project alter drainage flow, patterns or surface water runoff on or from the site? -----
- (p) Will best management practices be utilized to control storm water runoff into coastal waters? -----
- (q) Will the project utilize or affect the quality or quantity of sole source or surface water supplies? -----
- (r) Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates? -----

**D. REMARKS OR ADDITIONAL INFORMATION: (Add any additional sheets to complete this form.)**

If assistance or further information is needed to complete this form, please contact City of Plattsburgh Clerk at:

Preparer's Name:-----Phone:-----

Title:-----Agency:-----

Date:-----

## **Appendix B      Recommended Zoning Changes**

**City of Plattsburgh**  
**Recommended Zoning Changes**  
**For the Waterfront Overlay District**  
**Based on the Local Waterfront Revitalization Plan**

06/01/09

Prepared for:  
City of Plattsburgh  
41 City Hall Place  
Plattsburgh, NY 12901

Prepared by:  
  
PLANNING & DESIGN, INC  
SARATOGA SPRINGS, NEW YORK

## Recommended Zoning Changes

The recommended zoning changes related to the Waterfront Overlay District are listed below, according to the location in the ordinance. Language to be added is indicated with an underline; language to be deleted is indicated with an overstrike.

### §270-4 Terms Defined

SHORELINE - The mean high water mark at which land adjoins the waters of Lake Champlain within the city.

SHORELINE BUILDING SETBACK -- The shortest distance, measured horizontally, between any point of a building and the shoreline of Lake Champlain within the town.

WATERFRONT OVERLAY DISTRICT (OL-W) – The purpose of the Waterfront Overlay District is to allow flexibility in the siting and review of development, above and beyond that set forth by the underlying zoning district, to foster unobstructed views to and from Lake Champlain.

### §270-14 Height Requirements

C. Waterfront Overlay District. Buildings and structures within the Waterfront Overlay District may exceed the maximum height allowed in the underlying district when the following conditions are met:

1. The modification in the height requirement is necessary fulfill the purposes of the Waterfront Overlay District, such as retaining views of the waterfront from public travel corridors or public use areas.

a. Applicants wishing to exceed the height requirement must show during the Site Plan Review process, with architectural renderings, building elevations, or accurate photoillustrations, that the desired view cannot be retained under the height requirement.

b. The Planning Board shall make the ultimate decision as to whether the height modification is to be allowed. The Planning Board may require a scenic view easement prohibiting any construction or vegetation other than grasses in the view area. The easement should be enforceable by the City and in form acceptable to and approved by the City Attorney.

2. The Floor Area Ratio does not exceed 1.

**§270-15 Yard Requirements**

G. Waterfront Overlay District. The yard requirements of the underlying zoning district for buildings and structures within the Waterfront Overlay District may be modified up to the dimensions specified in Schedule IV when the following conditions are met:

1. The modification in the yard requirement is necessary fulfill the purposes of the Waterfront Overlay District, such as retaining views of the waterfront.

a. Applicants wishing to modify the yard requirement must show during the Site Plan Review process, with architectural renderings, building elevations, or accurate photoillustrations, that the desired view cannot be retained under the yard requirement.

b. The Planning Board shall make the ultimate decision as to whether the yard modification is to be allowed.

2. The Floor Area Ratio does not exceed 1.

3. Transition yard requirements are not subject to the Waterfront Overlay District modification.

**§270-16 Building Coverage and Open Space Requirements**

C. Waterfront Overlay District. The building coverage and open space requirements of the underlying zoning district for buildings and structures within the Waterfront Overlay District may be modified up to the dimensions specified in Schedule IV when the following conditions are met:

1. The modification in the Building Coverage and Open Space requirement is necessary fulfill the purposes of the Waterfront Overlay District, such as retaining views of the waterfront.

a. Applicants wishing to modify the Building Coverage and Open Space requirement must show during the Site Plan Review process, with architectural renderings, building elevations, or accurate photo-illustrations, that the desired view cannot be retained under applicable requirement.

b. The Planning Board shall make the ultimate decision as to whether the modification is to be allowed.

2. The Floor Area Ratio does not exceed 1.

**§270-20(4)(H)(3)(a) PUD**

**(a)** Consistency with approved land use plans.

- (1)** When reviewing PUD's and site plans for proposals located within the former Plattsburgh Air Force Base, the Planning Board shall require consistency to the maximum extent practicable with the City of Plattsburgh Comprehensive Plan, City of Plattsburgh Local Waterfront Revitalization Plan and any approved or accepted base reuse plans. Open space and recreation areas on said plans shall be conserved as open space to the maximum extent practicable.
- (2)** When reviewing PUD's proposals located within the Waterfront Overlay District (OL-W), the Planning Board shall require consistency with the City of Plattsburgh Comprehensive Plan and the City of Plattsburgh Local Waterfront Revitalization Plan. A Waterfront Assessment Form should be completed as part of the PUD process.

**§270-32 Submission**

- B.** Site plan approval is not required for the following development, unless (1) it is requested by the Building Inspector under subparagraph € D, AND/OR (2) the development is located within the OL-W Waterfront Overlay District.
- C.** All development in the OL-W Zone requires site plan approval except:
1. Repairs and Improvements, as described in §270-32 (B)(1) above
  2. Renovations, as described in §270-32 (B)(2) above
  3. Conversions

[NOTE: remainder of section §270-32 to be re-numbered accordingly]

**§270-36 Guidelines for Review**

- C.** General Architecture
- (6)** The design of buildings within the Waterfront Overlay District (OL-W) shall take into account the potential for unobstructed views from public streets or other public lands to Lake Champlain.
- D.** Streets, pedestrian walks and open space

**(6)** The design and location of pedestrian walks and open space within the Waterfront Overlay District (OL-W) shall accommodate views and access to Lake Champlain to the maximum extent practicable.

**E.** Off-street parking and loading.

**(3)(a)** The landscaping and/or screening of parking and loading facilities within the Waterfront Overlay District (OL-W) shall take into account the potential for unobstructed views from public streets or other public lands to Lake Champlain.

**F.** Landscape Design

**(5)** The design, location, and materials for landscape design within the Waterfront Overlay District (OL-W) shall accommodate views and access to Lake Champlain to the maximum extent practicable.

**Schedule IV  
City of Plattsburgh Waterfront Overlay District  
Area and Bulk Controls**

(a) See schedule III

Zoning District	Land Use	Minimum Lot Size Requirements (d)				Minimum Yard Requirements (e)				Building Height (Feet / stories)(b) <u>(e)</u>	Coverage (percent) <u>(f)</u>	Minimum Open Space (percent) (f)
		Area (SF)	Area dwelling SF/unit	Width (ft.)	Depth (ft.)	Front	Side (one/both) <sup>3</sup>	Rear (ft.) (c)	<b>Shoreline (c)</b>			
RC-1	Other permitted uses	10,000	n/a	70	100	<u>0</u> <sup>2</sup> <u>20</u>	<sup>2</sup> <u>0/30</u> <sup>2</sup> <u>10/40</u>	10	<u>20</u>	35/2.5	30	50
	Permitted residential uses	10,000	Current formula 2,000	100	100	<u>0</u> <sup>1</sup> <u>12</u>	<sup>1</sup> <u>0/30</u> <sup>4</sup> <u>12/30</u>	10	<u>20</u>	35/2.5	40	40
RC-2	Other permitted uses	10,000	n/a	100	100	<u>0</u> <sup>1</sup> <u>12</u>	<sup>1</sup> <u>0/30</u> <sup>4</sup> <u>12/30</u>	10	<u>20</u>	35/2.5	40	40
	Other permitted uses	15,000	(a)	125	75	<u>0</u> <sup>1</sup> <u>15</u>	<sup>1</sup> <u>0/30</u> <sup>4</sup> <u>12/30</u>	20	<u>20</u>	49/3.5	25	50

Zoning District	Land Use	Minimum Lot Size Requirements (d)				Minimum Yard Requirements (e)				Building Height (Feet / stories)(b) (e)	Coverage (percent) (f)	Minimum Open Space (percent) (f)
		Area (SF)	Area dwelling SF/unit	Width (ft.)	Depth (ft.)	Front	Side (one/both) <sup>3</sup>	Rear (ft.) (c)	Shoreline (c)			
B-1	Other	15,000	(a)	125	75	<del>0</del> 30	<sup>1</sup> 0/30 <del>±</del> 12/30	20	<u>20</u>	49/3.5	25	50
	Permitted	10,000	n/a	70	100	<del>0</del> 30	<sup>1</sup> 0/30 <del>±</del> 12/30	10	<u>10</u>	30/2	50	15
R-1	No change for underlying district	No change for underlying district				No change for underlying district				No change for underlying district		
R-2												
I												
<p>(b) see Supplementary Regulations</p> <p>(c) all area and bulk control requirements shall exclude land between the waterside property boundary and the high water elevation</p> <p>(d) see §270-15, Yard Requirements</p> <p>(e) see §270-14, Height Requirements</p> <p>(f) see §270-16, Building Coverage and Open Space requirements</p> <p><sup>1</sup> 20% of the setback can be used for parking</p> <p><sup>2</sup> No parking allowed in the setback</p> <p><sup>3</sup> <del>No fence, hedge, treeline, structure, or other permanent obstruction of greater height than three feet shall be permitted within the larger of the two side yard areas.</del></p>												