Village of Youngstown
Local Waterfront Revitalization Program

Adopted:
Village of Youngstown Board of Trustees, October 19, 1989

Approved:
NYS Secretary of State Gail S. Shaffer, June 20, 1990

Concurred:
U.S. Office of Ocean and Coastal Resources Management, July 5, 1990

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

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

GAIL S. SHAFFER
SECRETARY OF STATE

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MAR. 27 1991

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

Dear Mr. Burgess:

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

Should you have any questions or concerns regarding this document, feel free to contact either myself or Charles McCaffrey of this office at (518) 474-6000.

Sincerely,

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

GRS:gn

Enclosure

VILLAGE OF YOUNGSTOWN

LOCAL WATERFRONT REVITALIZATION PROGRAM

Prepared by: Thomas J. Dearing, Planning Consultant
For the Village of Youngstown, New York

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

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NA-82-AA-D-CZ068

This Local Waterfront Revitalization Program has been adopted and approved in accordance with the provisions of the Waterfront Revitalization and Coastal Resources Act of 1981 (Executive Law, Article 42) and its implementing regulations (6 NYCRR 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a Routine Program Implementation has been obtained in accordance with the provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, 162 Washington Avenue, New York 12231.

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

GAIL S. SHAFFER
SECRETARY OF STATE

JUN. 20 1990

Honorable Norman Swann
Mayor, Village of Youngstown
Village Center
240 Lockport St.
P.O. Box 168
Youngstown, New York 14174

Dear Mayor Swann:

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

I will notify State agencies shortly that I have approved the Village's LWRP and will provide them a list of their activities which must be undertaken in a manner consistent to the maximum extent practicable with the Youngstown LWRP.

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

Sincerely,

Gail S. Shaffer

GSS:gn

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

DEPARTMENT OF STATE JUL 5 1990
COASTAL PROGRAMS

JUL 1 0 1990
RECEIVED

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

Re: Youngstown, New York Local Waterfront Revitalization Program

Dear George:

The Office of Ocean and Coastal Resource Management has reviewed your submission of the Youngstown Local Waterfront Revitalization Program (LWRP) as a Routine Program Implementation to the New York Coastal Management Program. Charles McCaffrey on your staff, has informed us that the last sentence in the Explanation Section of Policy 39 (page 98) should have been deleted when Policy 39B was deleted. With the understanding that the sentence will be deleted, we concur with your conclusion that adoption of the program is a Routine Program Implementation. We appreciate you making the changes we suggested in our letter to you in February 1990.

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

Sincerely,

Timothy R. E. Keeney
Director

Village of Youngstown

VILLAGE CENTER • 240 LOCKPORT STREET
P.O. Box 168
YOUNGSTOWN, NEW YORK 14174

INCORPORATED:
APRIL 18, 1854

TELEPHONE:
(716) 745-7721

October 25, 1989

Honorable Gail S. Shaffer
Secretary of State
N.Y.S. Department of State
162 Washington Avenue
Albany, N.Y. 12231-0001

Dear Secretary Shaffer:

I certify that the following resolution was moved by Mayor Swann, seconded by Trustee Riordan and unanimously carried with all members voting "Aye" at the regular meeting of the Board of Trustees held on October 19, 1989.

WHEREAS: The Village of Youngstown has prepared a final Local Waterfront Revitalization Program (LWRP) in cooperation with the New York State, Department of State;

NOW, THEREFORE BE IT

RESOLVED: That the final Village of Youngstown Local Waterfront Revitalization Program is hereby adopted, and be it further

RESOLVED: That the final LWRP be submitted to the New York State Secretary of State for review under the provisions of the New York State Waterfront Revitalization and Coastal Resources Act of 1981.

BE IT FURTHER RESOLVED:

That a certified copy of this resolution be sent to Gail S. Shaffer, Secretary of State.

Sincerely,

Shirley A. Smith

Shirley A. Smith
Village Clerk

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SECTION I

WATERFRONT REVITALIZATION AREA BOUNDARY

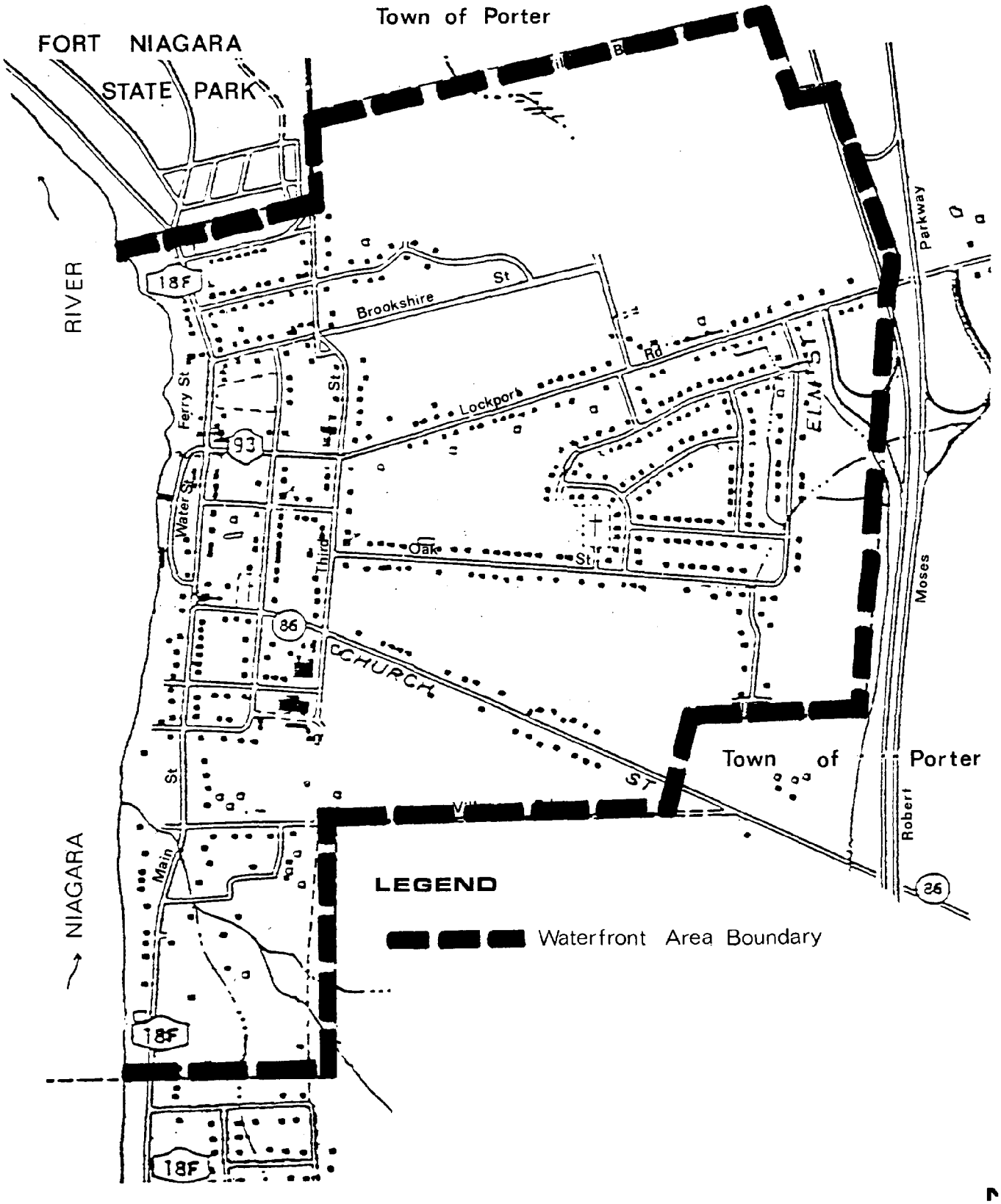
A. BOUNDARY

Reference should be made to Figure 1 for a graphic description of the Waterfront boundary. As Figure 1 notes the entire Village is included in the coastal area.

The Local Waterfront Revitalization Area (LWRA) boundary enters the Village of Youngstown from the north (Fort Niagara State Park) at the east right-of-way line of South Lake Street and proceeds to the north Village line. It follows this line east to the Robert Moses Parkway (west right-of-way). The boundary then turns south following the east Village line along the west Parkway right-of-way line approximately 700 feet and turns east to the center of the Parkway right-of-way.

The boundary then generally follows the center of the Robert Moses Parkway right-of-way south to the south edge of the Parkway interchange with Lockport Street where it intersects the east Parkway right-of-way line again. The LWRA boundary runs south along the east Village line (also the west right-of-way line of the Robert Moses Parkway) to the south Village line. It proceeds west and south toward Church Street and then continues west on the Village line to an area east of the end of Swain Road. The boundary extends due south along the south-east Village line for approximately 1,000 feet. At this point the boundary turns due west to the Niagara River mean high water mark.

The boundary then extends north following the mean high water mark to the south property line of Fort Niagara State Park. It then follows the south property line eastward to the point of the beginning.



Village of Youngstown

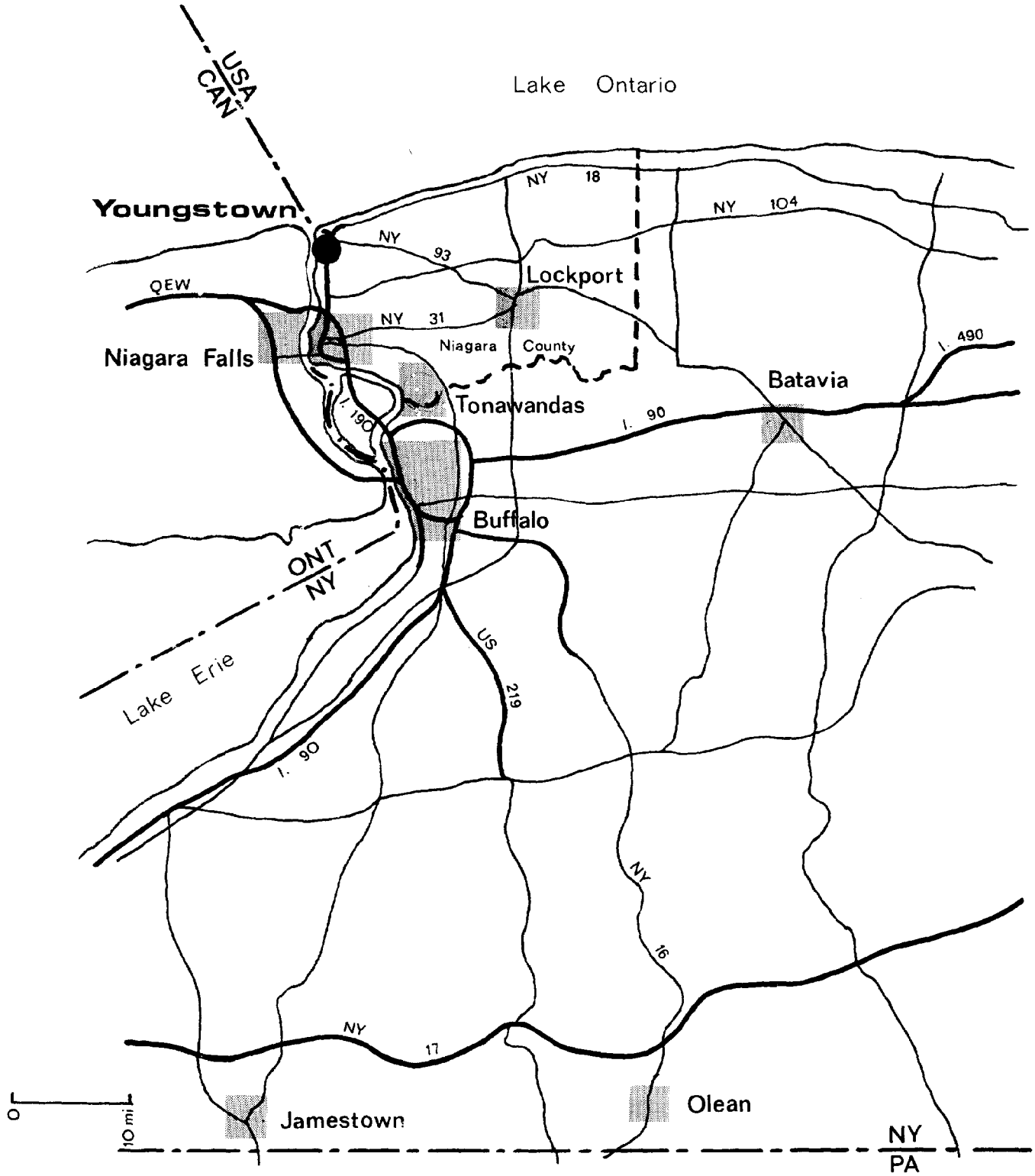
Local Waterfront Revitalization Program

Figure 1 : WATERFRONT BOUNDARY

Planning Consultant: Thomas J. Dearing

SECTION II

INVENTORY AND ANALYSIS



Village of Youngstown

Local Waterfront Revitalization Program

Figure 2: REGIONAL SETTING

Planning Consultant: Thomas J. Dearing

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A. REGIONAL SETTING AND COMMUNITY CHARACTERISTICS

The Village of Youngstown is located in the northwest corner of Niagara County approximately 9 miles north of the City of Niagara Falls. It is situated at the confluence of Lake Ontario and the Niagara River, and immediately east of Niagara On-the-Lake, Ontario. Youngstown is within the Buffalo Standard Metropolitan Statistical Area and had a 1980 population of 2,191 according to the United States Census Bureau. The Bureau estimated that the Village's 1985 population dropped to 2,100 or 4% since the 1980 Census. Figure 2 shows a graphic illustration of the Village regional location. It should be noted that the Town of Porter borders the Village on the northeast and south, with the Niagara River serving as the west boundary.

The Village comprises approximately 1.14 square miles or 700 acres. Field surveys indicate that approximately 37% is vacant and able to accommodate new development. However, recent population trends and economic projections for the area do not indicate a great demand for additional construction in the Village.

Figure 3: Population in Youngstown, Niagara County and Erie County

YEAR	YOUNGSTOWN	NIAGARA COUNTY	ERIE COUNTY
1960	1,848	242,269	1,064,688
1970	1,169(+15%)	235,720(-2.7%)	1,113,491(+4.6%)
1980	2,191(+1%)	227,354(-3.5%)	1,015,472(-8%)
1990	2,200(+4%)	217,257(-4.4%)	983,773(-3%)
2000	2,300(+4%)	221,589(+2%)	987,749(+4%)

Since the majority of Village residents commute into the City of Niagara Falls or other areas of Niagara County for employment, the economic decline suffered by the County has indirectly affected Youngstown. Although unemployment figures are not available solely for the Village, a good indicator of regional conditions is shown in Figure 4. The decline of basic manufacturing is the major reason for the high unemployment rates in Niagara County when compared to the nation as a whole. Local officials hope that a gradual transition to a more diversified economy will offset the negative impacts recent plant closings have had on the area.

Figure 4: Unemp loyment Rates for the U.S., Niagara County and Erie County

YEAR	UNITED STATES	ERIE COUNTY	NIAGARA COUNTY
1950	5.2		
1960	5.4	6.7	6.5
1970	4.8	4.7	5.4
1980	7.0	9.5	9.7
March 1987	6.9	6.4	7.6

Source: New York State Labor Department, U.S. Census (1950-1884).

B. HISTORIC SETTING

The Village of Youngstown has a rich past. Prior to 1650, the area was claimed by the Neuter Indians. Wars with the Iroquois, however, forced the Neuters out and allowed the Iroquois to occupy the land.

The first Europeans to occupy the area were the French. In 1726 the French founded Ft. Niagara and it remained in their hands until the French and Indian War. In 1759 France lost the Fort to the British at the Battle of LaBelle Famille. The British occupied the Fort throughout the Revolutionary War of 1776 and ceded it to the Americans after the war.

During the British occupation, a settlement of Iroquois existed near the present location of Youngstown. After the Revolutionary War (in or around 1800) the settlement consisted of a few buildings including several taverns. Since its inception, the Village's history has been intertwined with that of the Fort. It was probably founded to serve the needs of the Fort as one of the first industries of the locality was driving cattle from the east to be used at the garrison.

The Village derived its name in 1808 from John Young, who was the first businessman of the community. Previous to this time, the Village had no name. John Young was said to be an empire loyalist who resided across the River in Newark, now known as the Niagara-on-the-Lake, Canada. In Canada he used the surname Tice, but used Young in America. He owned much of the land in the Village during its early history.

During the War of 1812, several outlying batteries of Fort Niagara were located along the River bank in the Village (Fox Point, Salt Battery) and artillery duals were fought with the British across the River. In 1813 the entire Village, as well as every other municipality on the Niagara Frontier was burned to the ground in retaliation for the American's burning Niagara-on-the-Lake (then called Neward).

By 1823, the Village had rebuilt but there were still not more than a dozen frame houses along Main Street. The area around Youngstown was heavily wooded so lumbering became an important industry. Later flour, fishing and the fruit trade flourished.

During the 1840's, industry in Youngstown prospered. The Old Grist Mill was just one of the structures built to accommodate business. By now, Youngstown's relationship with Fort Niagara was strong and business with the Fort flourished. The mill, however, went into decline when the Erie Canal opened and the flour trade was usurped by communities in and around the Buffalo area.

The Village was incorporated in 1854 and elected George Swain as its first mayor. Around the turn of the century, Youngstown acquired a reputation as a fine resort area. The El Dorado Hotel, then located at the corner of Main and Water Streets, was very popular and served many guests until its demise in 1930.

Today, the Village is a quiet community with a small business district. Many of the older, historic structures are still standing and in use today.

As is shown by the above paragraphs, the Village has been historically and economically linked to the water and Fort Niagara. Although the River and Lake no longer serve as a commercial trade route out of Youngstown, new opportunities exist for the Village to capitalize on its shorefront location. This includes the development of sport fishing support services, recreational boating and as a destination point for area travelers wishing to enjoy the scenic beauty of the Village location.

A 500 acre State Park has now developed around Fort Niagara with immediate access to the area off the Robert Moses Parkway. The latter is a State road running north-south, east of Youngstown. Tourists can now enter the Park without driving through the Village. This has reduced opportunities for capturing spin-off retail or tourist dollars by Village establishments and has diminished the economic link between the Fort and Youngstown.

C. METHODOLOGY FOR UNDERTAKING INVENTORY AND ANALYSIS

The purpose of the Inventory and Analysis Section element is to describe existing conditions and identify opportunities, as well as constraints, to waterfront development. It is also intended to define certain natural features which should be preserved as part of the management program developed by the Village.

The waterfront area, as defined in Section I, includes the entire Village. In some instances, it has been necessary to include a wider study area to ensure that all possible factors which might influence waterfront development are addressed. For example, the level of activity at Fort Niagara State Park, in terms of land uses and visitor traffic, has been examined to better determine the Park's impact on the Village. A specific delineation of the study area as opposed to the waterfront area has not been defined. In cases where the study area extends beyond the waterfront area, the area will be defined within the text.

A wide range of information has been collected in the inventory phase. This includes the following:

- Environmental Factors
- Land Use
- Demographics
- Circulation Patterns
- Public Service Capacity
- Major Waterfront Land Parcels
- Vacant Waterfront Parcels
- Public Land Ownership Patterns
- Recent and Proposed Capital Improvements
- Overview of Marketing Factors

As noted earlier, a thorough analysis of these factors will permit an understanding of those opportunities and constraints present in the Village. It should be stressed, however, that the technical analysis has been strongly complemented by information received from Village officials, as well as local residents, through both public meetings and the Youngstown Waterfront Advisory Committee meetings.

Finally, information gathered in this section will assist in formulating shoreline policies. The data will not only determine policy direction, but also provide background material for preparing those guidelines necessary to review waterfront actions for consistency with the policies.

D. DEMOGRAPHICS/SOCIO-ECONOMIC FACTORS

Information concerning a variety of demographic factors is included in Figure 5. It is presented in a comparative table format in order to gain a sense of Youngstown's characteristics relative to Niagara County and the Village of Lewiston along the Niagara River. Census information reveals that the Village is well educated with almost 8% of all persons over 25 having a high school education, while 26% have a college degree. Employment figures reflect the white collar nature of the work force (i.e. 66%) with a good mix of employment types. The latter range from professional employees (i.e. 191 or 27% of total) to farm workers (8 or .8% of total). Finally, although the median household income was $24,031 in 1980, 38% of all households made between $25,000 and $49,999 and 4% (i.e. 94) of all persons in the Village were living below the federal poverty level.

Figure 5: Demographic Factors

Jurisdiction	Household Size	Median Household Income	Percent Elderly	Percent Housing Owner/ Occupied	Percent Vacancy Rate	Percent Houses Built 1939 or Earlier	Percent in Same D/U Since 1975
V. Youngstown	2.99	$24,031	8.4%	74%	3.6%	32%	40%
V. Lewiston	2.65	21,822	16.0%	97%	3%	24%	50%
Niagara County	2.83	17,834	11.9%	77%	4%	42%	50%

Source: 1980 Census, U.S. Department of Labor

An analysis of the demographic information point to some basic conclusions. These are that:

1. The Village has a small but growing elderly population which, when examined in combination with the declining household size of the community, will create a demand for housing types different from the traditional single family home.

2. The Village is well educated, and well off in comparison to the County as a whole. This reflects a stable population base and a citizenry concerned about community issues.

E. LAND USE

The Village of Youngstown extends over almost 700 acres of land, of which approximately 64 percent is currently developed. Both residential and commercial development originally occurred along Main Street in the vicinity of Hinman and Lockport Streets. Later development created a radial pattern of residences going up northeast and southeast along Lockport Street (State Route 93) and Church Street. Figure 6 depicts categorical land uses within the Village as collected from field surveys (July, 1986). Detailed acreage were calculated from Village assessment maps and summarized in Figure 7.

1. Residential

Single family residential use is the largest single land use within the Village. It occupies 280.29 acres at a density of 2.1 dwellings per acre. Single-family residences are common in all areas of the Village, except for the commercial district centered at Water, Main and Lockport Streets.

Two-family residences comprise a minor land use in the Village. Most are located in a four block area bounded by Main, William, Third and Hinman Streets. Others are located in Jackson Street near Lake and the southwest intersection of Hinman and Third Streets. Their density amounts to 3.0 units per acre. The majority of these dwellings are located in older homes that have been converted to two-family homes.

Multi-family residences are generally located in an area bounded by the Niagara River, Church, Third and Lake Streets. Notable exceptions include a large 2.8 acre development consisting of two, seven-unit buildings and three, six-unit buildings on the east side of Lake Street near the northern Village boundary. Two separate developments on Third Street (one at the northeast corner of the Lockport/Third Street intersection and the other about halfway between Lockport and Oak Streets) also exist.

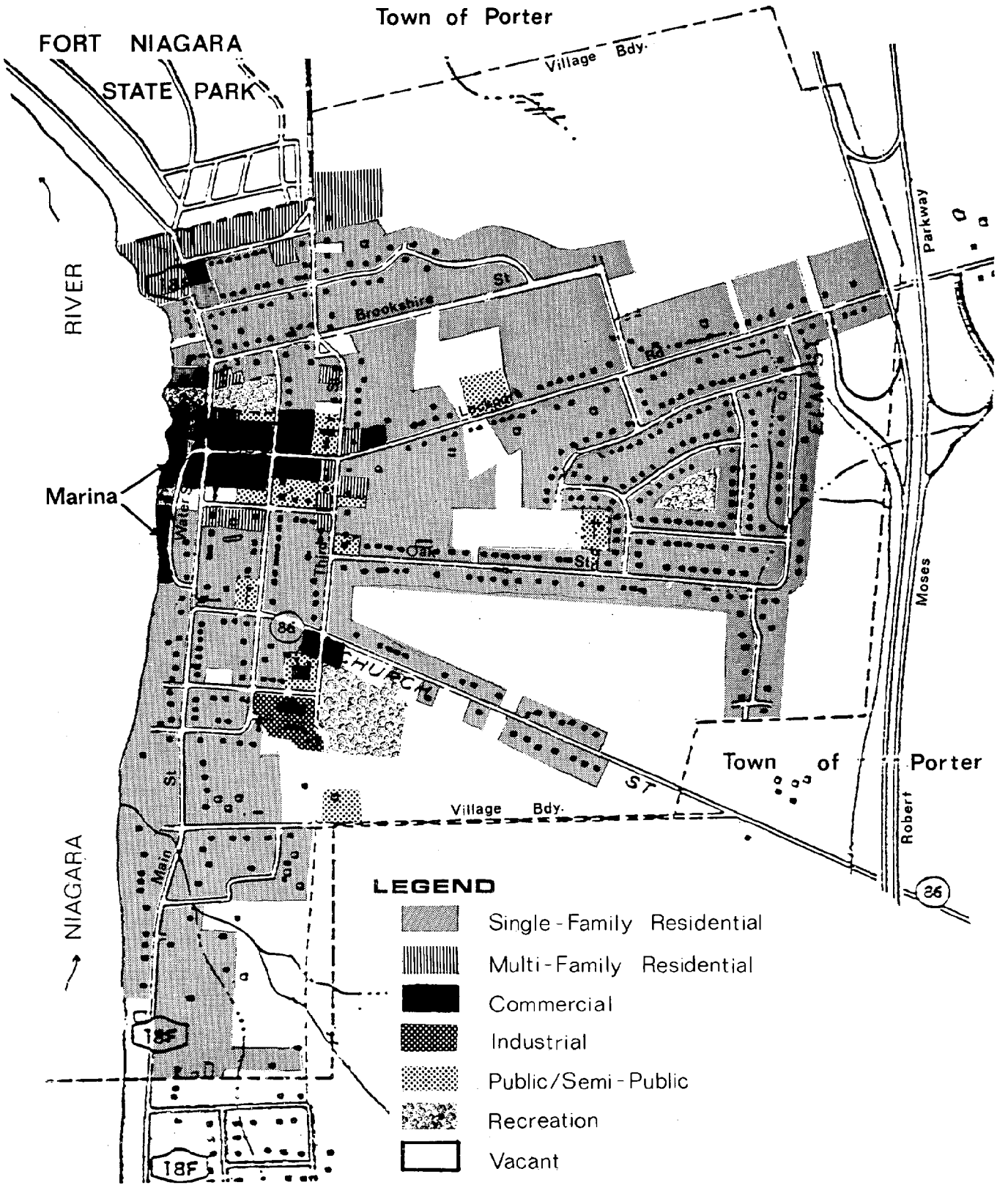
The Villa apartments are an example of a new multi-family development located at the far northwest corner of the Village along the River. Older multi-family housing is located closer to the central commercial district. Almost all residential units are in good to excellent condition.

2. Commercial/Industrial:

Almost all commercial development is located in the area bounded by Water, Main and Lockport Streets. A small area is located at Church and Third Streets. These include marine services along Water and Main Streets, seasonal/tourist facilities also on Main Street and newer development along Lockport, Third and Church Streets (bank, pharmacy, food). A mixture of other services are also present to serve the local population. Older structures often are of mixed use with residential units above commercial units. Many of the older commercial structures are of historic interest. The Youngstown Cold Storage Company located at the intersection of Elliott and Third Streets is the only industrial use located in the Village.

3. Public/Semi-Public:

Public/Semi-Public land uses within the Village are varied in their character. Cemeteries, church land, Village and Town offices/services and public utilities are the principle uses.



Village of Youngstown

Local Waterfront Revitalization Program

Figure 6 : EXISTING LAND USE

Planning Consultant: Thomas J. Dearing

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Figure 7: Land Use Calculations

Land Uses	Acreage	Percent Developed	Percent Of Total
Single Family	279.29	63.87	40.27
Two Family	3.31	0.75	0.48
Multiple Family	15.78	3.59	2.26
Commercial	9.59	2.19	1.38
Industrial	2.10	0.48	0.30
Public/Semi-Public	12.99	2.96	1.87
Recreation/Open Space	13.70	2.89	1.82
Transportation	102.90	23.45	14.78
Total Developed	438.79	100.00	63.04
Vacant (Undeveloped)	256.96	____	36.91
TOTAL LAND USE	696.00	____	100.00

Source: Field Survey; Tax Assessment Maps: Consultant Calculations (DDM Associates)

4. Recreation/Open Space:

There are five public parcels reserved for recreation and open space.

Waterfront Park - Water Street - (.54 acres)

- The Park occupies the only public land along Water Street. It contains a single boat launch (public), parking for ten vehicles (non-trailered), a shorewall for fishing and transient boat tie-ups, benches for passive recreation, and a vacant former U.S. Customs Building. The latter structure occupies 25-30% of the site, thereby diminishing total park area available for public use.

The Customs House will be relocated to Veterans Park for use as a crafts building. If at sometime in the future the Village wishes to re-establish its port of entry status, substantial space is available at the low-rise building in Constitution Park.

Constitution Park - Main Street - (1.10 acres)

- This recently acquired parcel provides a good view of the Lower Niagara River with rest areas and a gazebo. Waterfront access is available, but this section has not been developed. Better linkage should be explored between Constitution and Falkner Parks. The latter is an active recreation area immediately across Main Street from Constitution Park. Currently, the road serves as a barrier to free movement between the two public areas. The Village currently owns a residential structure on the bluff which is unoccupied and acts as a constraint to pedestrian movement down the embankment. The Village will determine the historic significance of the structure prior to any park development on the site.

Falkner Park - Main Street - (2.32 acres)

- This park is located on Main Street between William and Lockport. It extends through the block to Second Street and contains both passive and active recreation uses (wading pool, play equipment, baseball, etc.).

Memorial Park - (7.4 acres)

- This park is located on Third Street with an additional outlet to Church Street. It is the largest of the Village parks with both active (tennis, baseball diamonds, etc.) and passive (picnic tables, covered structure) recreation facilities. It also houses the Village Youth Recreation Program which is operated from a temporary mobile structure. The park is bordered by large vacant parcels. It is important to maintain a low intensity type use on this private parcel to insure compatibility with the recreation activity occurring at Memorial Park.

Neighborhood Park - (2.0 acres)

- This park is located in the center of a single-family housing development bounded by Applewood, Westwood, Parkside and Brampton. It is a playground with the usual passive and active facilities. Three twenty-foot wide rights-of-way allow public access to the playground.

Additionally, the Seaway Trail, a National Recreation Trail, follows Main Street (Route 18F) through the Village of Youngstown. The Seaway Trail is a mixed-use shared right-of-way recreation corridor running 474 miles from the New York Pennsylvania border to Massena, NY.

5. Vacant:

Vacant land is the second largest land use in the Village behind single-family housing. It is located mainly on the Village edges (north, east and south) with other significant parcels in the central area between Church

Street and Brookshire Road. The amount of vacant land is significant as it lends itself to a variety of development possibilities.

6. Transportation:

The only other use in the Village are roads, which occupy 102.9 acres of land. One important aspect of the street system is the vacant, waterfront street ends. Some of these (e.g. Niagara and Church Streets) could be used for aesthetic overlooks of the Niagara River. It should be noted that the street ends off Main Street can only be used for road purposes. Any attempt to erect structures or develop the property in any other manner is not within the purview of the Village property rights. This provision is included in the original deeds outlining Village ownership.

7. Adjacent Uses:

Various land uses located in close proximity to Youngstown can influence the Village's ability to achieve Master Plan goals or LWRP policies. Therefore, it is important to note those nearby uses and analyze their possible impact. Figure 7A illustrates the location of adjacent uses.

a. Fort Niagara State Park:

This 500 acre multi-purpose recreation facility is located on the northern border of Youngstown and administered by the Niagara Frontier State Parks and Recreation Commission.

Lying at the confluence of Lake Ontario and the Niagara River, the Park contains a beach, swimming pool, new boat launch, U.S. Coast Guard Station/Naval Reserve Headquarters, playgrounds/picnic areas, soccer fields, Old Fort Niagara (17th Century Fort and French Castile), lighthouse and snowmobile paths. Once an integral part of Village commerce, the Park has little or no ties with the Village today.

The Park features regularly scheduled activities that attract patrons from throughout the State. youth soccer clinics and state competitions, special entertainment, concerts, and nature programs are scheduled during the season and help attract over one million visitors annually. This includes average admissions to Old Fort Niagara of 128,500 per year which represents 12% of park attendance. Studies conducted as part of the Village Comprehensive Plan (1972) to assess the impact on Village commerce identified an average park attendance of 377,400 per year (1965-1970) with 75% being admissions to Old Fort Niagara. As is evident, there has been dramatic growth and change in the use of park facilities (286.7% from the 1970's to the 1980's) and the exposure of the area to tourists and recreation trade.

The historic interdependence between the Park and Village has diminished over the years to the point that most of the visitors to the area are unaware of the existence of nearby Village commerce. The lack of signage on the Robert Moses Parkway and the lack of promotional and economic coordination with the Park have further

compromised Village retail and services. In fact, while Park attendance/activity has grown significantly since 1970, their effect on Village business has declined due to the by-pass on the Parkway and lack of visibility to area traffic. A consolidated effort is needed to recapture part of the lost area tourist trade for the survival of Village commerce.

b. Four Mile Creek State Park:

This 248 acre park is located two miles northeast of Youngstown on the shores of Lake Ontario. It includes 250 campsites. During the near future, there may be new campgrounds, constructed at the Park along with new boat launch and fishing facilities. The latter were recommended in the Niagara County Fisheries Development Plan prepared by the Niagara County, Department of Economic Development and Planning in 1983. Should such development occur the attractiveness of Four Mile Creek State Park for campers and fishermen will also increase. The demand for nearby camping and fishing support services will increase which could create opportunities for retail establishments in Youngstown.

c. Joseph Davis State Park:

This 388 acre State facility is located off Route 18F approximately 1.5 miles south of the Village in the Town of Lewiston. It provides bank fishing, swimming, picnicking, and general river access for park users. The proximity of the park to the Village allows it to serve as a community resource and helps address the recreational demands of Village residents.

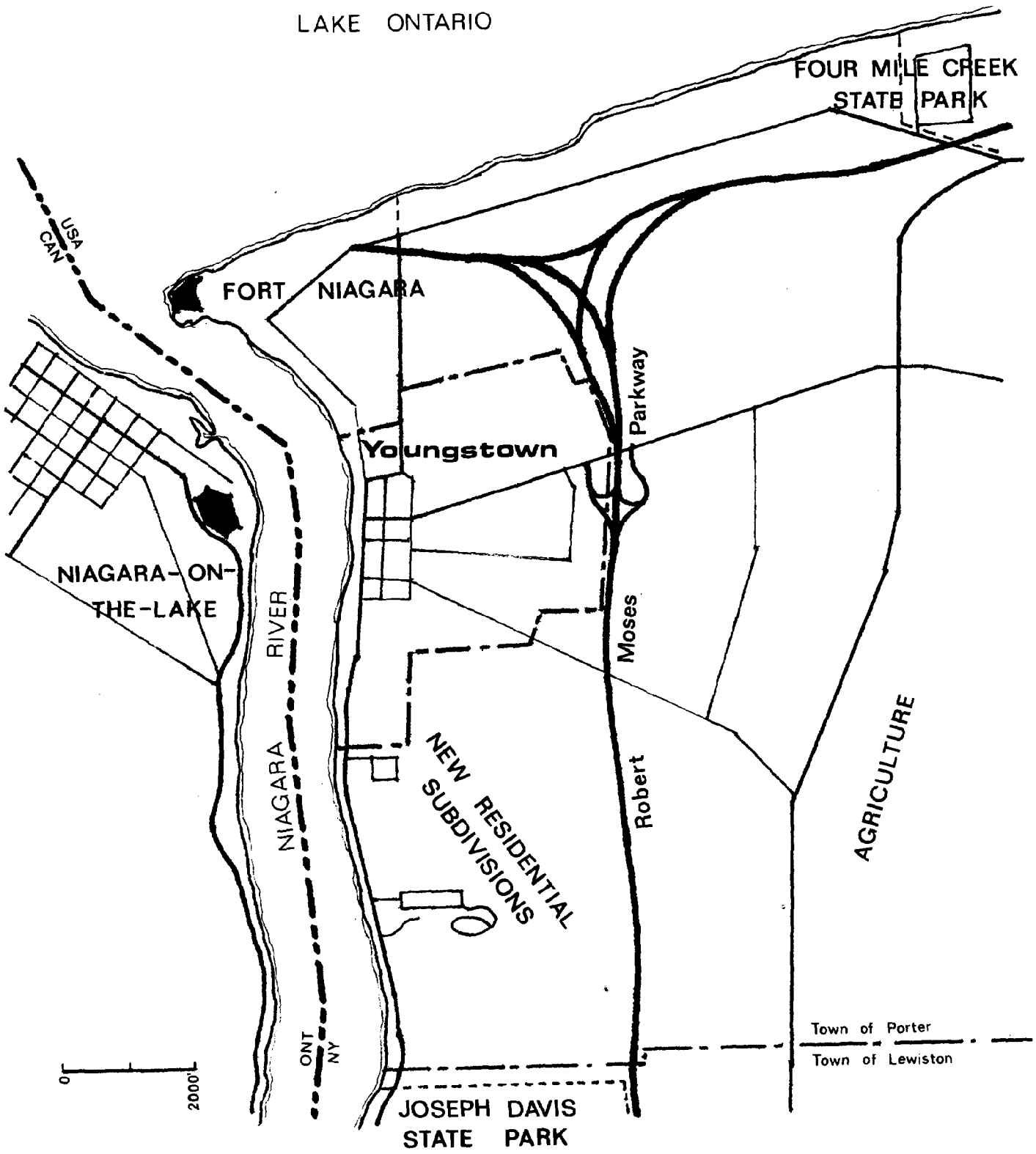
d. Adjacent Subdivision:

Collingwood Estates and Youngstown Estates are single family residential subdivisions in the Town of Porter. They have access to Route 18F and are immediately adjacent to the Village's south boundary. The estimated number of units are 75-100, which house to approximately 300-400 residents. Due to the proximity of Youngstown, the retail and other support services offered in the Village are utilized by this population group.

e. Water Uses:

It should be noted that two anchorage areas are located in the River adjacent to the Village. These extend to the eastern boundary of the mid-river channel and allow regulated mooring. The U.S. Army Corps of Engineers has permit jurisdiction in such areas through the River and Harbors Act authorization. This sets regulations on uses and activities within navigable waterways.

The U.S. Coast Guard also has permit jurisdiction within the mooring areas and regulates activities such as boating safety.



Village of Youngstown

Local Waterfront Revitalization Program

Figure 7A: MAJOR ADJACENT LAND USES

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The Youngstown Yacht Club has 119 moorings and has an approximate 150 foot dock reserved for transient boaters. Williams Marine, formerly Pierce Marine, has 78 moorings, 26 slips, and has up to 50 feet reserved for transient boaters.

The offshore anchorage areas provide unique scenic vistas for Youngstown residents. The harbor area is a landmark scene which is synonymous with the Village of Youngstown to non-residents.

The marina and yacht club provide transient berthage, gasoline, diesel fuel, water, ice, electricity, pump-out, marine supplies, a launching ramp, mobile lift to 20 tons, and hull and engine repairs. The harbor area does not create any negative impacts, but does contribute substantially to the waterfront ambience of the community.

A seasonal passenger ferry used to operate between the Village Dock and Niagara-on-the-Lake, but has been discontinued. Although there currently is not a market for such a ferry, should one develop in the future, adequate dockage space and customs facilities could be made available at Constitution Park. A low- rise building exists on the site which could accommodate the customs function previously carried out at the small building in Waterfront Park. As noted earlier, the latter is being removed to expand actual park space.

F. WATER-DEPENDENT AND WATER-ENHANCED USES

Water-dependent uses would not exist without a shorefront location. Water-enhanced uses receive added value or importance because of proximity to the shoreline. Frequently, they function as support services for water uses. Water-dependent uses play an essential role in determining a shoreline's economic importance and public acceptance of its worth as a public resource needing careful planning.

The Youngstown waterfront (those parcels directly on the Niagara River) is approximately 6970 feet long and composed primarily of residential uses that sit atop a steep embankment lining the River. This embankment is excellent for scenic vistas of the Lower River, but prohibits general access to the water. Only those residents who have invested in stairways and/or docks have utilization of the waterfront.

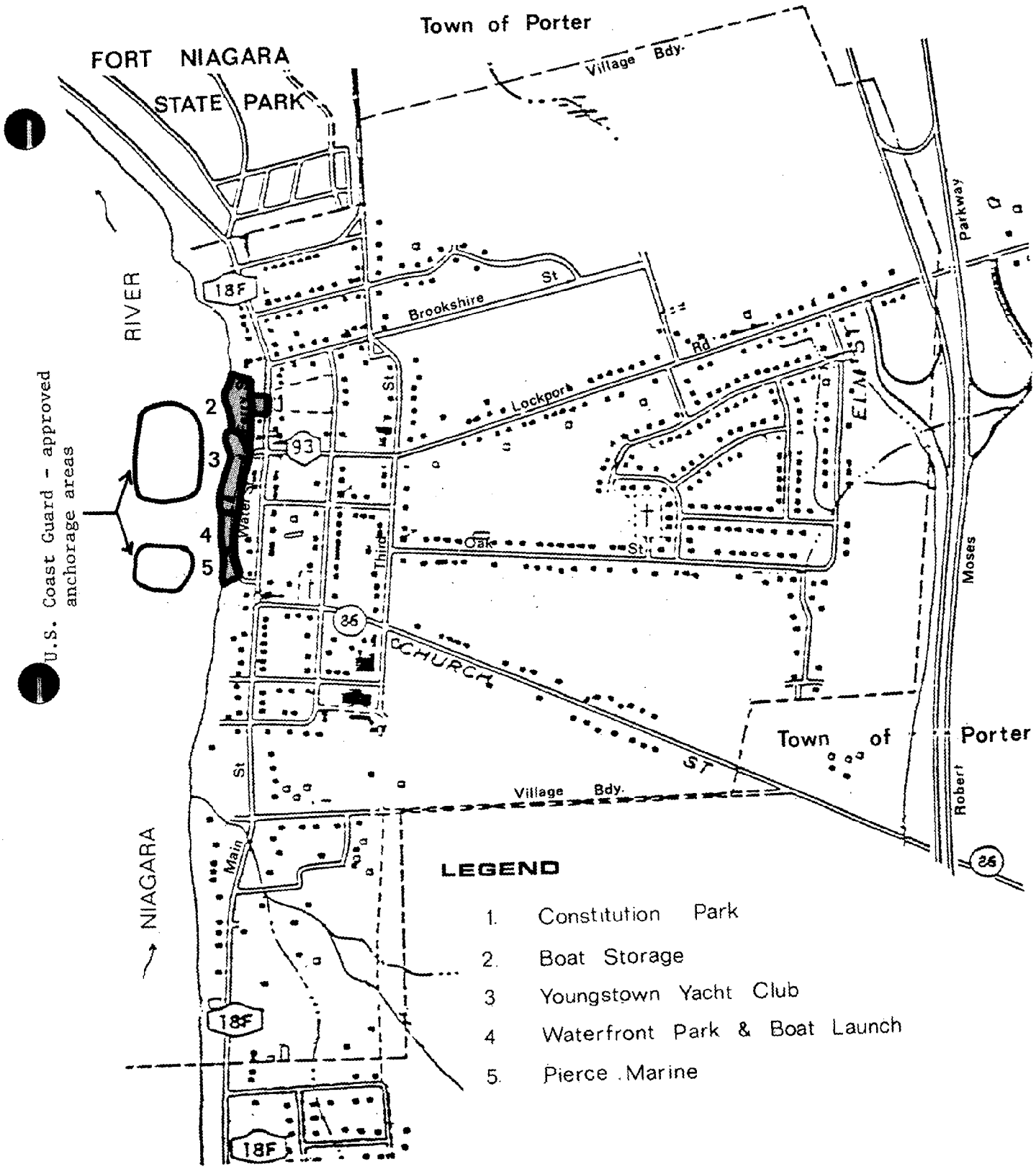
The dominant uses along the waterfront are single-family residences and commerce at 4058.74 feet (58.2%) and 1842.3 feet (26.4%), respectively. Commercial uses are concentrated in the Water Street area. The restaurants, public parks, and residential housing are all water-enhanced uses. Examples of water-dependent uses consist of the Youngstown Yacht Club, the ramp at the public park, dock/mooring spaces, Williams Marine and Sailor's Supply. Water Street opens up about 20% of the Village coast to access and is heavily used during the summer months. Currently, boaters and transient visitors have a major economic impact on Village commerce and provide substantial support for Village business. Figure 8 illustrates the location of water-dependent uses situated west of Main Street.

Vehicular access to Constitution Park off Water Street can only be made by a narrow, privately owned gravel road. Since the Park is not developed, the limited demand for vehicle access has not caused any problems. Pedestrian access to the waterside section of the Park is along the private road, or an existing stairway off the top of the bluff.

The Water Street area is seasonally active with recreational boaters, fishermen, and tourists. Pedestrian and vehicular traffic crowd the area on summer weekends and find limited services to complement marine facilities. Commercial services are available at Williams Marine and Sailor's Supply.

Additional retail outlets for fishing equipment, as well as restaurants could find a welcome market in the Village. As the Village becomes more popular and the recommendations noted in Section IV carried out, it is likely that fishermen and get away weekenders will create a market for "bed and breakfast" establishments and inn type lodgings. These are oriented toward recreational boaters who visit the 250+ moorings in the harbor. Fishing is present in the area, but is limited by the lack of near-shore docks, public launches and trailer parking. Sportfishing represents a significant revenue opportunity for waterfront development.

Although the Youngstown waterfront is mainly used by boaters, there is some on-shore fishing activity at Waterfront Park and Constitution Park. The area, however, is not considered a fishing hotspot, so demand for more space is not voiced.



Village of Youngstown

Local Waterfront Revitalization Program

Figure 8: WATER-DEPENDENT USES

Planning Consultant: Thomas J. Dearing

Water Street is physically separated from the rest of the Village by the Niagara River embankment. The Village commercial center is located at Lockport and Main Streets immediately adjacent to Water Street. This is the hub of Village retail activity and runs from the Village Park on Main Street to Hinman Street. It contains mostly residential/neighborhood retail facilities (hardware, food, laundry, post office, bank, etc.) with only a few services oriented toward tourist or the waterfront (gas station, convenience store). While functionally isolated from the business district, adjacent areas are residential to the north and south and are significantly different in character from the waterfront and its patrons. Some of the storefronts within the Village Center are in need of facade improvements. This would increase the area's attractiveness as a commercial corridor for residents and seasonal visitors.

More specifically, the Main Street commercial area is characterized by high, overhead utility lines, no landscaping between Hinman and Lockport Streets, and little signs. The structures are generally 2-3 story brick facade buildings with mixed use tenants. Some wood frame buildings are interspersed. A few buildings are circa 1800's.

G. INVENTORY OF MAJOR PARCELS

A key part of the analysis is the identification of all public lands and private parcels of 5 or more acres. These usually represent areas where the greatest opportunities for, or constraints to, development exist. Large parcels often serve as anchors to development and dictate land use patterns. Therefore, the identification of these areas is useful in determining opportunities for future private or public investment in the Village.

Figure 9 graphically illustrates the major parcels while Figure 10 includes a corresponding table which describes various features of each land use.

A key information item contained in Figure 10 is the column marked "Potential for Change". This notes the status of each land parcel relative to its potential to continue in its existing use or change to a different one (e.g. vacant to residential). Factors used to determine the response shown in this column include adjacent land use patterns, parcel size, location, ownership patterns, and public utility access. Figure 11 graphically shows the major vacant parcels which are privately owned.

In summary, development by the Year 2000 will likely consist of modest residential growth to accommodate the expected influx of 86 new households. The latter will be divided among various housing types; however for general land allocation purposes the standard of 4 units per acre is an appropriate guide. By applying this standard to the projected household increase. it is apparent that approximately 20 acres of land will be needed for residential development. As Figure 10 notes, eight major land parcels have been assigned a high or medium potential for development. These are as follows:

1. Parcels 18 (East Section Only) and 20. These are located in the north-central section of the Village. The potential for future multi-family housing in this area is good given the surrounding use pattern which includes the Youngstown Village Square area and the townhouses along Jackson Street. Utility access and vehicle access on to South Lake St. is also good in this area.

2. Parcels 5, 11 and 12. These are located between Church and Oak Streets. Good access to any of the above streets can be provided by the parcels, utilities are accessible and their development would begin a concept of infill development whereby land closer to the Village Center would be encouraged for land development prior to the outlying areas.

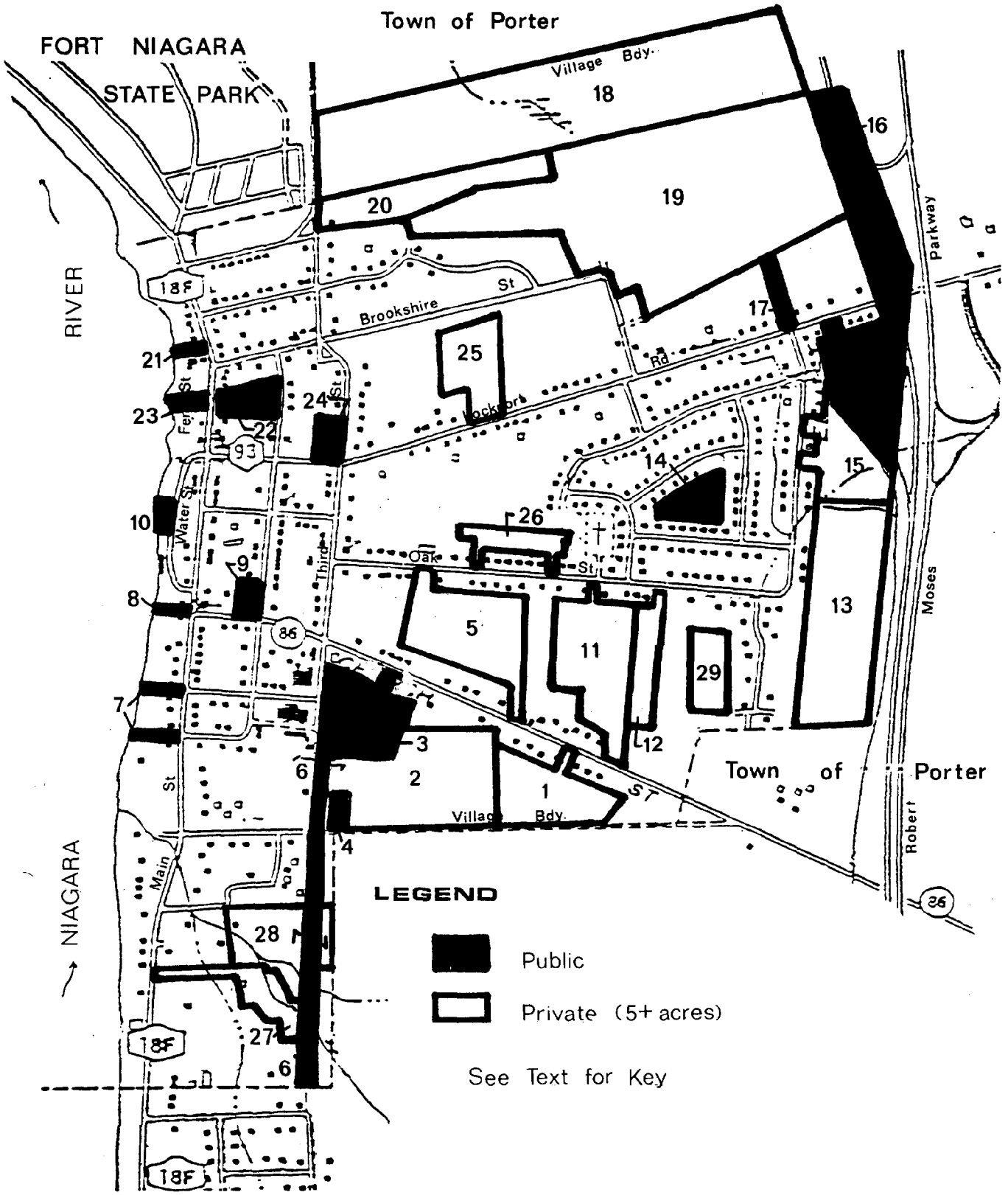
3. Parcel 26. This parcel is located north of Oak Street between Third and Elm Streets. It has two access points from Oak and can easily be linked to the existing residential subdivision to the east. This would also continue the infill policy and provide good access to existing utility systems.

4. Parcel 29. Although small in total size (4.2 acres), the parcel includes 14 vacant subdivided lots in the subdivision off Oak Street in the east/central section of the Village. The land is somewhat

isolated but the mere fact that the parcel has been subdivided and would complement the existing development pattern indicates that it should be a priority for development.

5. Parcels 1 and 2. These large parcels are located south of Church Street and extend to the Village boundary with the Town of Porter. An analysis shows a medium potential for development mainly due to the odd shape of parcel 2 and subsequent expense of utility connections.

6. Parcel 25. This seven acre parcel is situated between Brookshire and Lockport Streets. It has good access off Brookshire and shares an entrance off Lockport with St. John's Evangelical Lutheran Church. Although its potential for development is high given the location, this potential may be compromised by any future plans that St. John's has for the parcel.



Village of Youngstown

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Figure 9 : MAJOR LAND PARCELS

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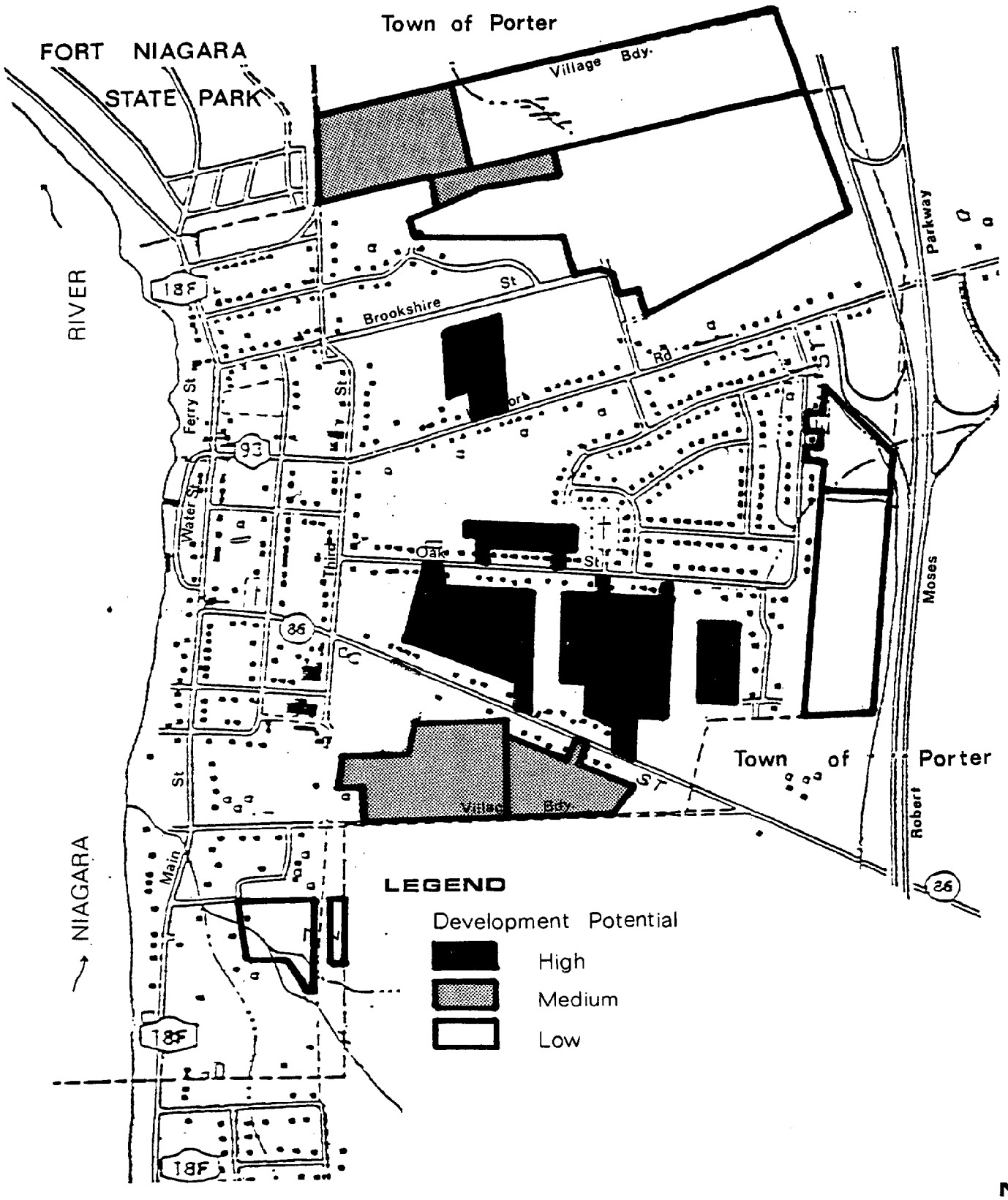

Village of Youngstown

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Figure 11: DEVELOPMENT POTENTIAL - LARGE VACANT PARCELS

Planning Consultant: Thomas J. Dearing

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	Type of Owne.	Name of Owner	Size	Land (Classif.)	Existing Use	Potential for Change	Zoning
1.	Private	First. Presb. Society of T. Porter	5.2	Residential	Vacant	Medium	RCL-3
2.	Private	Rosengold and Freberg	18.8	Residential	Vacant	Medium	RCL-3
3.	Public	Village	7.4	Park	Memorial Park	Low	PF
4.	Public	Town of Porter	.25	Utility	Sewage Pump St.	Low	RCL-3
5.	Private	Gonder	7.4	Residential	Vacant	High	R-15
6.	Public	Village	6.6	Third. St. Extension Row	Vacant	Low	NA
7.	Public	Village	1.0	Campbell & Elliott St. ends	Yard Extension and cinder drive	Medium	NA
8.	Public	Village	.50	Front St. end	Yard Extension	Medium	NA
9.	Public	Town of Porter	.75	Instit.	Cemetery	Low	R-8A
10.	Public	Village	.54	Park	Waterfront Park	Low	PF
11.	Private	Baker, Maggs, Coup & Allen	12.6	Residential	Vacant	High	R-15
12.	Private	Moyer	5.8	Residential	Vacant	High	R-15
13.	Private	FAH Properties	8.0	Residential	Vacant	Low	R-20
14.	Public	Village	2.0	Park	Neighborhood Playground	Low	PF
15.	Private	Bolanski	7.6	Residential	Vacant	Low	RCL-3
16.	Public	New York State	22.4	Transportation	Robert Moses Pkwy ROW	Low	NA
17.	Public	Village	1.0	Residential	Vacant	Low	R-20
18.	Private	Youngstown/Porter Dev. Assoc.	50.0	Residential	Vacant	Medium	RCL-3
19.	Private	Gross Plumbing	62.7	Residential	Vacant	Low	RCL-3
20.	Private	Youngstown Village Sq.	10.0	Residential	Vacant Multi-Family Apts.	Medium	RCL-3
21.	Public	Village	.25	Niagara St. end	Salt Battery Monu. - Vacant	Medium	NA
22.	Public	Village	2.32	Park	Falkner Park	Low	PF
23.	Public	Village	1.20	Park	Constitution Park	Low	C
24.	Public	Village	1.00	Institution	Village Hall	Low	C
25.	Private	St. John's Evangelical Church	7.00	Semi-Public	Church	High	R-20
26.	Private	Baker, Maggs, Coup & Allen	7.60	Residential	Vacant	High	RCL-3
27.	Private	Steyn	5.30	Residential	Resid. and Vacant	Low	R-40
28.	Private	Wright	11.2	Residential	Vacant	Low	R-40
29.	Private	Mollamber	4.2	Residential	Vacant	High	R-11

Figure 10 Major Land Parcels

H. ZONING

Zoning classifications are shown in Figure 12. They include residential, commercial and public uses reflecting the prominence of single-family housing at various densities (R-8 through R-40). The commercial district is also prominent as a consolidated, compact center east of the Niagara River embankment.

A restricted commercial district is located along Water Street, allowing water-related uses as opposed to general commercial.

Other zoning districts include public facilities and cluster family residence.

The following outlines key problems areas with the Zoning Ordinance as relates to the Village's ability to plan properly for future growth, as well as implement LWRP recommendations.

- Over 100 acres are zoned for residential cluster housing. Much of this is in the outlying sections of the Village. This will allow medium density housing on most vacant parcels and could create a sprawl or disjointed development pattern.

- There is no vacant land zoned for multiple-family housing. Thus, any new high density housing would have to occur through single- family conversions. This is inappropriate and does not recognize the changing demographics and smaller household sizes in the Village.

- Although the immediate waterfront area along Water Street is zoned Commercial Restricted, thereby restricting use to water-dependent activities, a need exists to integrate the Main Street area with the waterfront, as well. This can be accomplished through complementary use regulations, design standards, and special permit requirements.

- The Main Street area is zoned commercial, allowing most any type of commercial use. This creates little space for retail uses which could capitalize on waterfront vistas to improve their marketability such as restaurants, galleries, and specialty shops. A need exists to give these types of uses priority over grocery stores, hardware outlets, barber shops, etc. and also to provide incentives to those uses which provide public access to vistas of the harbor.

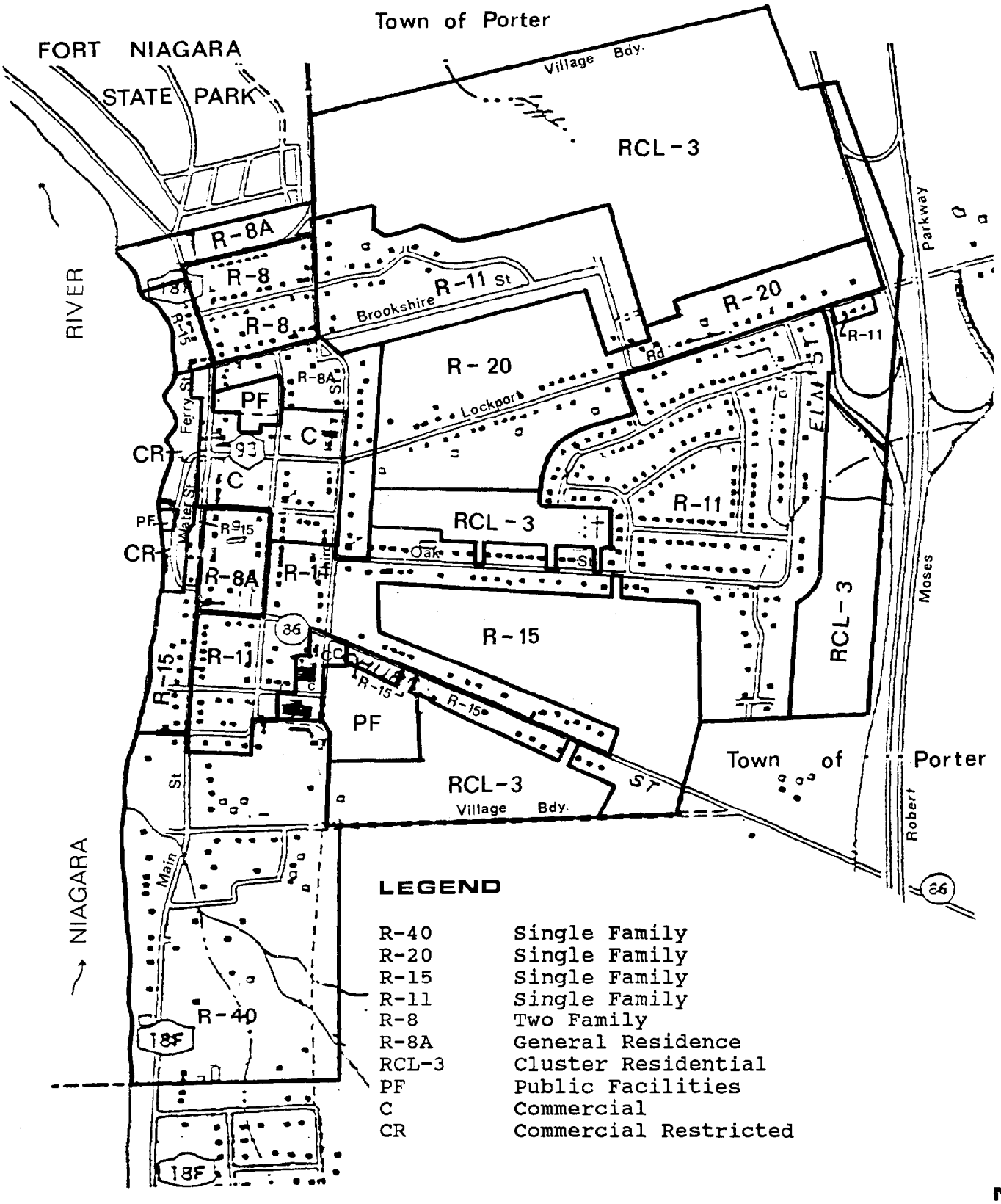
- The zoning ordinance provides no bluff controls. Since this landform serves a variety of public purposes, such as erosion protection and viewing areas, it is important that some controls be established.

- The zoning ordinance has limited sign regulations. This can cause a disjointed visual environment along Main Street, thereby reducing its role as a pleasant shopping area and complementary service center to the adjacent boating area.

- The ordinance includes an agricultural district, yet the zoning map does not show any land in this classification.

I. LAND OWNERSHIP

Approximately 3.5 percent of the Village is in public ownership. (Note: this does not include road right-of-way) Such parcels are noted on Figure 9 and described in Figure 10. The Village owns approximately 3.5 acres directly on the waterfront. This includes street ends as well as Constitution and Waterfront Parks. Of the 24.6 acres of public land approximately 32 percent of it is vacant.



Village of Youngstown

Local Waterfront Revitalization Program

Figure 12: ZONING

Planning Consultant: Thomas J. Dearing

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J. ENVIRONMENTAL CONDITIONS

An inventory of environmental conditions within the waterfront area is an essential ingredient when determining opportunities for, and constraints to, future development. For the purpose of this analysis, the following factors were examined: topography, soils, fish and wildlife habitats, water quality, historic/archaeological features, and vegetative characteristics.

It should be noted that there are no State regulated wetlands or serious erosion problems within the Village and the area is in attainment with all State air quality standards. Very narrow 5-15' sections of the shoreline are designated as flood hazard areas and are shown in Figure 16. It should be noted that only two structures are located within these areas.

1. Topography:

Within the Village of Youngstown, elevation decreases northwesterly from the southeast boundary (308 feet above sea level down to approximately 240 feet at lake level). The Village is generally at an elevation of 290 feet, with approximately 15 feet elevational difference from Ulrich Lane (southeast) to Jackson Street (northwest). West of Main Street, the mean elevation rapidly falls from approximately 290 feet at the rear building line of properties with frontage on Main Street to an elevation at lake level. This change in elevation of 45 feet takes place in a horizontal distance of 70 feet along the Niagara River embankment. These elevations and distances create a slope of 65%, while a more uniform slope of about 23% exists from Elliott Street north to the northern tip of Fort Niagara Park at Old Fort Niagara. The location of the steep slope embankments are shown on Figure 13.

2. Soils:

Reference should be made to figure 13 for the location of various soil types within the Village. The dominant types are Niagara Silt Loam and Ovid Silt Loam. The former has a generally low bearing capacity for use as a foundation for low buildings, while the latter has a moderately high capacity. The Ovid Silt Loam type has a high water table which can cause drainage problems.

3. Vegetative Characteristics:

Much of the embankment along the River is also natural wooded and low brushland. Such vegetative features support some small scale wildlife. The vegetation also serves to stabilize the embankment by absorbing water during storms and drainage from upland areas. The other wooded areas vary in size-the largest being a thirty to forty acre parcel directly east of the Glenvale/Brookshire Road intersection east to the Robert Moses Parkway. A second parcel of about ten acres lies just to the south of the Robert Moses Parkway interchange between Elm Street and the Parkway. Two smaller wooded parcels of less than five acres are located in an area bound by Oak, Third, Lockport and Northfield.

Hardwood make up much of these wooded areas, consisting of beech, white ash, oak, basswood, tulip, poplar, hickory, red maple and elm. It should be noted that the wooded areas are in outlying sections of the Village within interior lots. Land use controls should be established to preserve these areas.

Since the Village is considerably urbanized, the most common types of vegetation in the area is composed of grasses and legumes, wild herbaceous upland plants, hardwood plants and stands of coniferous trees.

4. Wildlife:

There are no significant wildlife habitats within the Village. Areas offering characteristics sympathetic to wildlife cover include wooded areas and brushland. These areas include the Niagara River embankment, isolated woodland stands and vacant undeveloped land where brush and/or grass offer cover.

5. Waterfowl:

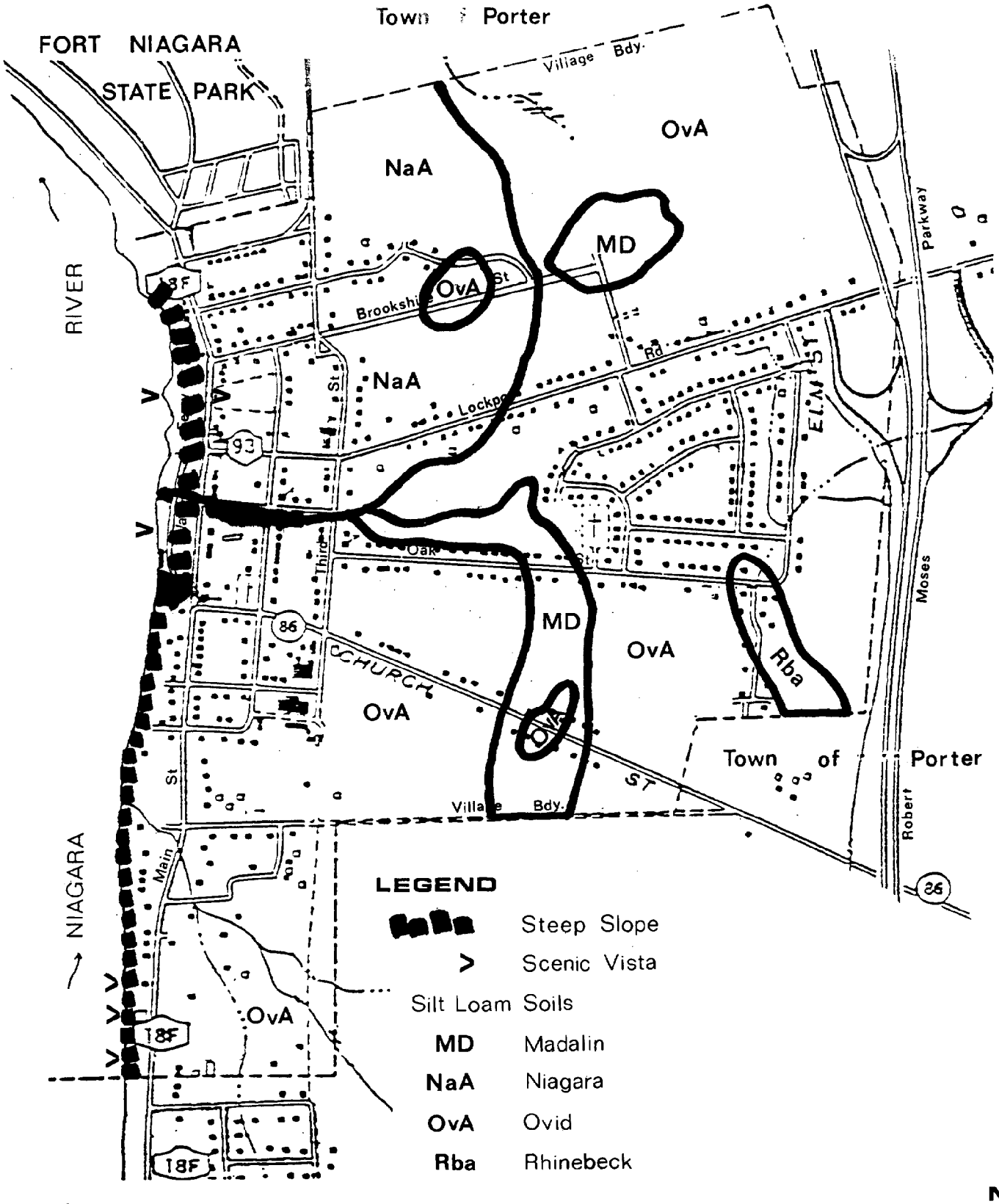
The most evident population of waterfowl in and around the Village are gulls. The placid stretch of Niagara River from Lewiston to Lake Ontario provides good feeding conditions for hundreds of gulls. Most numerous are the Herring, Ring-billed and Bonapartes. Less numerous species include the Great Black-backed, Glaucous, Iceland, Little, Black-headed and Franklins.

6. Fish:

The Lower Niagara River from the vicinity of Water Street in Youngstown to Old Fort Niagara is a good fish habitat. Figure 14 notes the location of the habitat while Figure 15 lists fish species known to exist in the Niagara River and Lake Ontario.

The New York State Department of Environmental Conservation has engaged in a comprehensive fish stocking program for many New York State waterways. For the Niagara River, the numbers are significant. The River was stocked with 25,000 Rainbow Trout (Steelhead Strain) 4.75 inches in size and 292,000 Chinook Salmon 3 and 3.25 inches in size (NYSDEC), 1985). This program augments an excellent sport fishing business in the area. Benefits to local business in and around Youngstown are significant.

Unlike some Lake Ontario shoreline communities, the salmon stocking program has not created any congestion problems in Youngstown. Due to the physical limitations of the shoreline in the Village, fishermen utilize the launching and on-shore fishing facilities at Artpark and Fort Niagara State Park. However, efforts to capture some of the spending dollars generated by sport fishermen for supplies, food, and lodging needs to be better capitalized on by Village merchants.



Village of Youngstown

Local Waterfront Revitalization Program

Figure 13: STEEP SLOPES/VISTAS/SOILS

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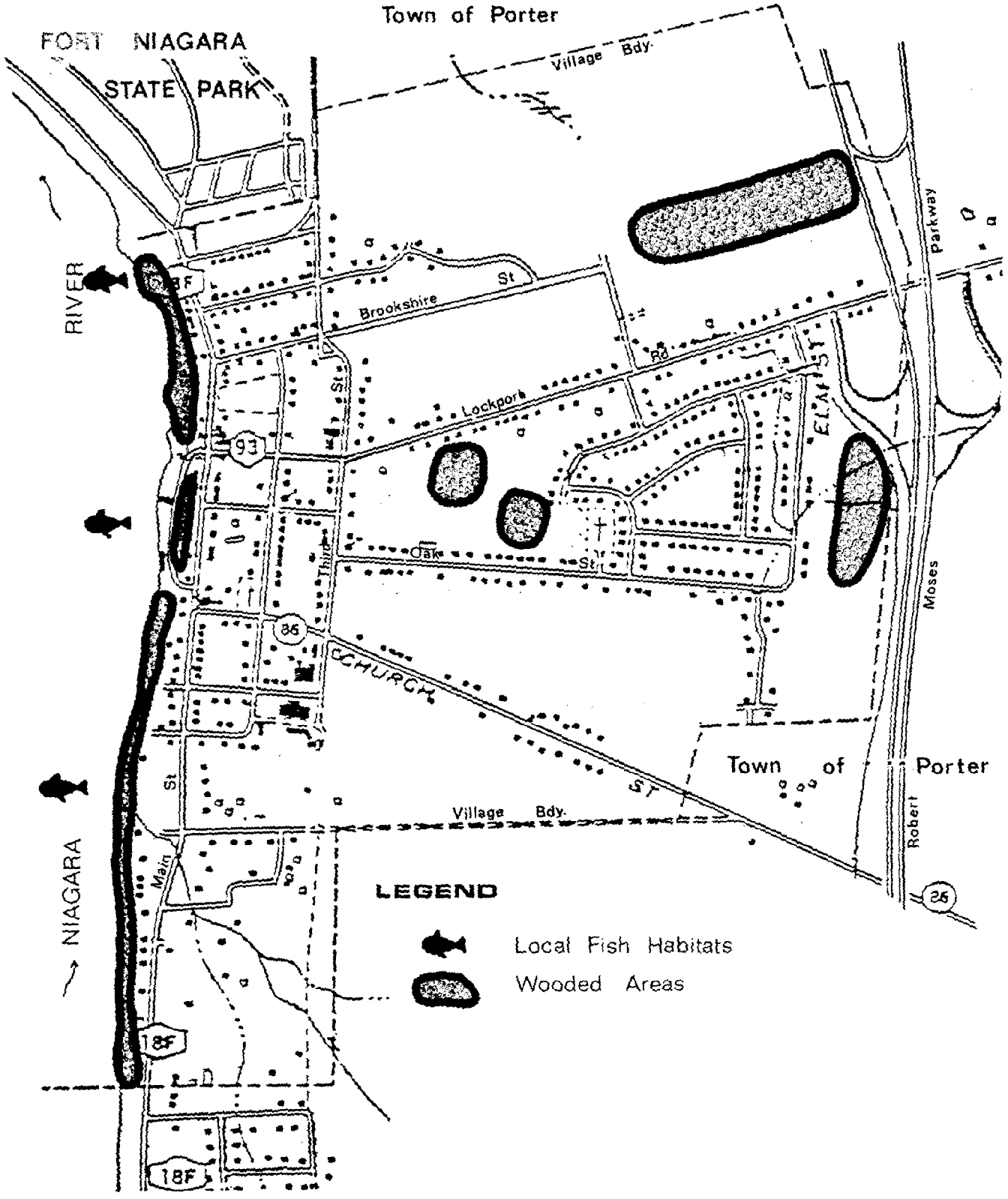

Village of Youngstown

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Figure 14: LOCAL FISH HABITATS and WOODED AREAS

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Figure 15: List of fish common to the Niagara River

Lonose Gar	Barred Killifish
Sawbelly	Perch
Sucker	Bass
Carp	Darter
Chub	Common Sunfish
Dace	Sheepshead
Notropisd-stramineus	Sculpin
Shiner	Stickleback
Catfish	Salmon
Bullhead	Trout
Stonecat	Sturgeon
Pickerel	Pike
Muskellunge	Eel

Source: New York State Department of Environmental Conservation

7. Drainage:

The main drainage problems for Youngstown are caused by the unique topography of the Village. Some sections have limited elevational differences resulting in occasional ponding of stream runoff. This condition is noticeable in the area bounded by Church, Lockport and Third Streets and the east corporate limits. Runoff can stand for several days following a rainstorm. Flooding from the Niagara River (and subsequent erosion) is minor.

8. Water Quality:

Youngstown's main surface water resource is the Niagara River. It is designated a Class A Special stream by the New York State Department of Environmental Conservation (the highest classification). This means that it is an international river suitable for the widest range of uses, including water supply, bathing and fishing. Pollution discharge restrictions are severe --- no noticeable color or odor is permitted, nor can untreated sewage or water be discharged into the River. It must at all times meet NYSDEC minimum standards. These classifications set limits on the type, quality and quantity of effluents that can enter the various streams.

An unclassified intermittent stream also runs through the south section of the Village before emptying into the River. In such circumstances the NYSDEC places a "D" classification on the stream. This indicates its suitability for agricultural drainage purposes only.

The 1984 report of the Niagara River Toxics Committee outlined the current, critical issues facing the public relative to toxic chemical intrusions into the River. Water quality in the Lower Niagara River was sampled along with biota and sediment. Such samples revealed that 24 chemicals having serious or potentially serious health risks were significantly concentrated within the Lower River. Levels of contaminants occasionally surpassed the strictest water quality criteria as noted in the 1978 Great Lakes Water Quality Agreement (GLWQA) between the United States and Canada. Compounds that exceeded the standards in the GLWQA once or more included aluminum, cadmium, chromium, copper, lead, silver, zinc, hexachloro-cyclohexane, chlordane and total recoverable phenols. The source of such chemicals

likely occurs upstream of the Lewiston area at various toxic waste sites, sewage treatment plants and chemical plants along the River.

Fish (i.e. Young-of-the-year spottail shiners) were also analyzed off the banks of the Lower River and found to have PCB and mirex levels which exceeded certain GLWQA levels. In addition, other sport fish species in this area exceeded State and provincial levels for PCB and mirex. This has caused certain restrictions to be placed on the size and quantity of fish which can be taken for human consumption.

These are serious problems for Youngstown. Although their solutions are beyond the jurisdiction of the Village, it is important that local officials take an active role in seeing that higher levels of government take action to cleanup the River. Since the Niagara River and Lake Ontario are so closely intertwined with the quality of life in Youngstown, this is a critical issue for all Village residents.

9. Historic/Archeological Sites:

There are no sites or structures listed on the National Register of Historic Places in the Village.

Figure 16 locates roadside markers showing areas of State importance.

In summary, the Village has three State roadside markers. These are:

a. The Salt Battery, located at Main Street near William. This site served as an American artillery battery during the War of 1812. Remnants can be seen and the site currently serves as a Village Park.

b. Fox Point Battery, located in the Bloody Run area on Main Street, south of Campbell. This site also served as an American battery during the War of 1812. It is located on a dame (glacial feature) and is so named because at the time the area was infested with foxes.

c. Battle of LaBelle Famille. Located adjacent to Bloody Run, the site is the location of a significant battle between the French and the British during the French and Indian War. The British defeated the French at this battle and were subsequently able to control the Youngstown area and Fort Niagara.

There are many structures and sites within the Village that are considered to have local historic significance. Many single-family homes and commercial building have circa plaques on them describing the date on which the building was constructed. Structures are buildings that are still in existence today while sites are locations of structures that once existed at that location but are no longer present.

A quaint linear, tree-lined corridor extends the length of Main Street (e.g. Route 18F). As one enters the Village from the south, the road is canopied by large shade trees and well kept large single family homes. The corridor extends through the commercial center and on through another stately

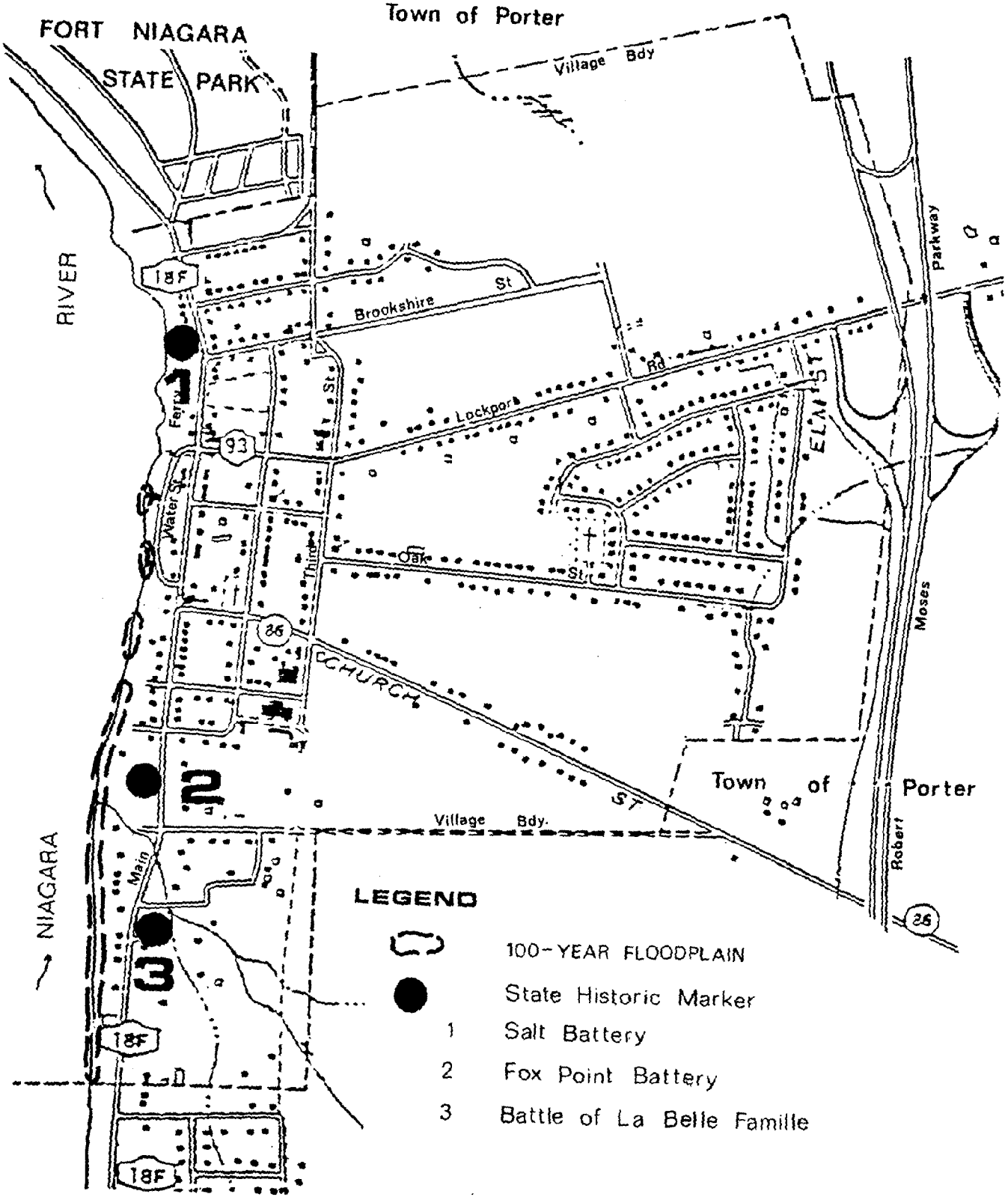

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Figure 16: HISTORIC MARKERS & FLOODPLAINS

Planning Consultant: Thomas J. Dearing

residential area to the entrance to Fort Niagara State Park. Many of the wood frame homes are circa 1800's and feature large front porches and entrance lawns. As mentioned earlier, the commercial area suffers from a lack of landscaping, coordinated signage and facades, and imposing utility lines. With some physical improvements, this could become a very pleasing gateway to the Village Center and Fort Niagara State Park.

Finally, the New York State Office of Parks, Recreation, and Historic Preservation had determined that the entire Village is an area of archeological sensitivity. This determination is based on the presence of sites within the Village. These may include archaeological sites associated with the War of 1812, and the French and Indian War, as well as pre-historic sites.

Figure 17: Local Historic Sites and Structures

Structure/Site	Circa	Location	Remarks
Father Virot Monument	1759	Swain/Mary's	Killed at Battle of LaBelle Famille
Ferryboat Service	1790	Pierce Marine	Passengers to Canada
Iroquois Homesite	1800	unknown	***
First School	1806	unknown	Oldest building in Village
Ulrich Residence	early 1800	Main/ Campbell	First house post 1812
Falkner Home	after	Main/	post 1812
Davis Block	begun 1823	Main/ Water	Merchants in 1830's
Ship Yard	1830	Main/ Chestnut	1800's ship building
Swain Residence	1830	914 Lower River Rd.	Cobblestone house
First Presbyterian Church	1837	Church/ Main	Enlarged in 1897
Grist Mill	1840	Water Street	First floor remains
School Building	1840	Main/ Church	Site of log cabin school
Ontario Hotel	1842	Main/ Lockport	Site of old Hathaway Tavern
St. Bernard's Catholic Church	1846	Hinman/ Second	Parish began in 1830's

Figure 17: Local Historic Sites and Structures (continued)

Structure/Site	Circa	Location	Remarks
Community Cemetery	1840	Church/ Second	•••
Underground Railway	early 1800	Church/ Main	smuggling to Canada
Steam Vessel Harbor	1845-1855	Bloody Run Creek	small boat dockage
Methodist Church	1852	Main Street	now used for apartments
Iron Flume	1830-1900	Church Street (foot)	loaded grain on ships
Canandaigua Railroad	1856	Bloody Run Creek	used once; abandoned
Elbridge Residence	1860	Main/ Elliot	•••
Falkner Monument	1875	Main Street	father/son doctors
St. John's Episcopal Church	1878	130 Main St.	Gothic revival
El Dorado Hotel	1890	Main/ Water	torn down 1935
Red Brick School	1892/1819 1927	Lockport/ Third	Village office and museum
Electric Strap Railroad	1896	Third Street (end)	operated by Youngstown Cold Storage (1950)
St. John's Lutheran Church	1900	Third/ Oak	formed in Bairsville
Villa St. Vincent	1902	Fort Niagara	formed in orphanage
Guild Hall	1902	Fort Niagara	with St. Vincent
Volunteer Fire Co.	1911	Hinman/ Second	•••

Source: Porter Historical Society; Niagara County Planning Department

10. Aesthetic Resources:

The most important aesthetic resource in the Village is the Niagara River with the accompanying embankment along the shore. Visual access to the waterfront is limited, however, by Main Street development and dense bank foliage. Available views are panoramic-the River with the opposite Canadian shore offers outstanding views in all seasons. To the north, Niagara-on-the-Lake can be viewed, to the west the Canadian shore and to the south the beginnings of the steep gorge walls at Lewiston. Numerous sailboats can be viewed either at mooring or under sail in the summer, while the winter offers spectacular ice views. The fall offers the changing colors of the leaves, while spring features the melting ice and the budding leaves.

Public access to these spectacular views is available in very few places. The Church, Elliott and Campbell Street ends are obstructed with dense foliage. The Village-owned public park adjacent to the Yacht Club allows the most complete view of the waterfront, albeit limited, since it is at water level and does not include a panoramic view from the top of the bank. Other glimpses of the River are available from Main Street between buildings. The recently purchased Constitution Park on the west side of Main Street provides good views of the River and adjacent shoreline.

The view of the shoreline from the River is equally impressive. The heavily wooded embankment and beautiful homes make for spectacular vistas. The many boats moored in the harbor during the summer also create a pleasing sight. Boat storage structures (docks, storage, etc.) directly to the north of the harbor, however, detract from the view. Wherever possible, efforts should be made to screen structures from view to preserve the visual quality of the waterfront.

Reference should be made to Figure 13 for the location of good viewing areas along the Village waterfront.

11. Niagara River Characteristics:

After the Niagara River has passed through the Falls and rapids system between the City of Niagara Falls and Lewiston, it enters a rather placid stretch that continues to Lake Ontario. Numerous stretches of flats and shoals line both sides of the River.

The topography of the River's bottom varies. Generally the slope of the bottom follows a short stretch (less than 100 feet) of relatively shallow water (less than 18 feet) before it falls away rapidly at 100-150 feet to about 30-40 feet and then slopes away at a steady rate to a maximum depth of 60 to 75 feet at mid-river. At Youngstown, shallow river depths are more prevalent in the northern area. Approaching Water Street, depths increase rapidly and then moderate toward the south Village limits. It should be noted that the bottom topography is variable. Sedimentation and River currents are constantly changing the contours of the River bottom.

It is worthwhile to point out the qualitative difference physical development along Main Street can have on visual access. The historic homes and commercial structures, although blocking views for the most part, do provide periodic glimpses of the River through sideyards, driveways, etc. The nicely landscaped homes, in fact, contribute to the scenic enjoyment. Conversely, Villa Apartments reflect a large-mass structure totally blocking views through it to the water. In addition, the structure's architectural style is incompatible with adjoining uses.

K. PUBLIC SERVICES:

1. Water Supply

The water supply in the Village of Youngstown is provided by the Niagara County Water District (NCWD). The current distribution system is fed by the NCWD through three main sources:

a. A 12 inch cast iron main on Main Street.

b. An 8 inch cast iron main on Lockport Street.

c. A 6 inch unlined cast iron main on South Lake Street.

The Village also has a dry line from the Niagara River for emergency fire protection. The only access is a dry hydrant on the west side of Main Street across from Hinman Street.

During the Spring of 1984, the Village commissioned a feasibility study on the building of a new water treatment plant to potentially replace the County as a water source (Nussbaumer and Clarke, Inc., "Preliminary Report on the Water System for the Village of Youngstown, N.Y.; May, 1984). The report concluded that the initial annualized cost of building, operating and maintaining a water plant is more expensive than purchasing water from the NCWD. Potential problems include obnoxious odors that plants sometimes give off (thus producing public concern) and the lack of a suitably sized waterfront parcel with enough buffer for adjacent uses.

The report also noted several deficiencies of the present system as evaluated by the Insurance Services Office, including insufficient fire flow pressure. To correct this, the Village initiated an improvement program whereby fire hydrants are being disconnected from old 4 inch lines and are being connected to newer, larger diameter water mains. This program should result in lower insurance costs for the Village and its residents. The other system improvement recommended was the construction of a new 415,000 gallon elevated storage tank to insure reserve system capacity (constructed 1986).

It is estimated that future water consumption for the Village and Fort Niagara State Park will increase by 22,563 gallons to 341,000 gallons per day by the year 2005. The Village water system is depicted in Figure 18. Adequate capacity currently exists within the NCWD treatment plant, which is operating at 53% of capacity.

2. Sanitary Sewers:

Sanitary sewer facilities are composed of the trunk sewer network that collects waste water from various users and the treatment plant that helps purify contaminated waste water. This system (Figure 19) helps to insure the water quality of the River and must be adequate to meet the needs of Village development. The availability of sufficient sanitary sewer capacity is often a major determinant of suitability for urban development. Youngstown has a sewage collection system which transfers flows from all

sections of the Village to the Town of Lewiston Water Pollution Control Center on Pletcher Road. This facility was completed in 1976 and utilizes technologically proven methods for water treatment. The design flow of the plant is 2.75 million gallons per day (MGD) and can more than handle current average daily flows of approximately 2.0 MGD. A 750,000 gallons per day surplus is available for anticipated future demand (700-800 equivalent households).

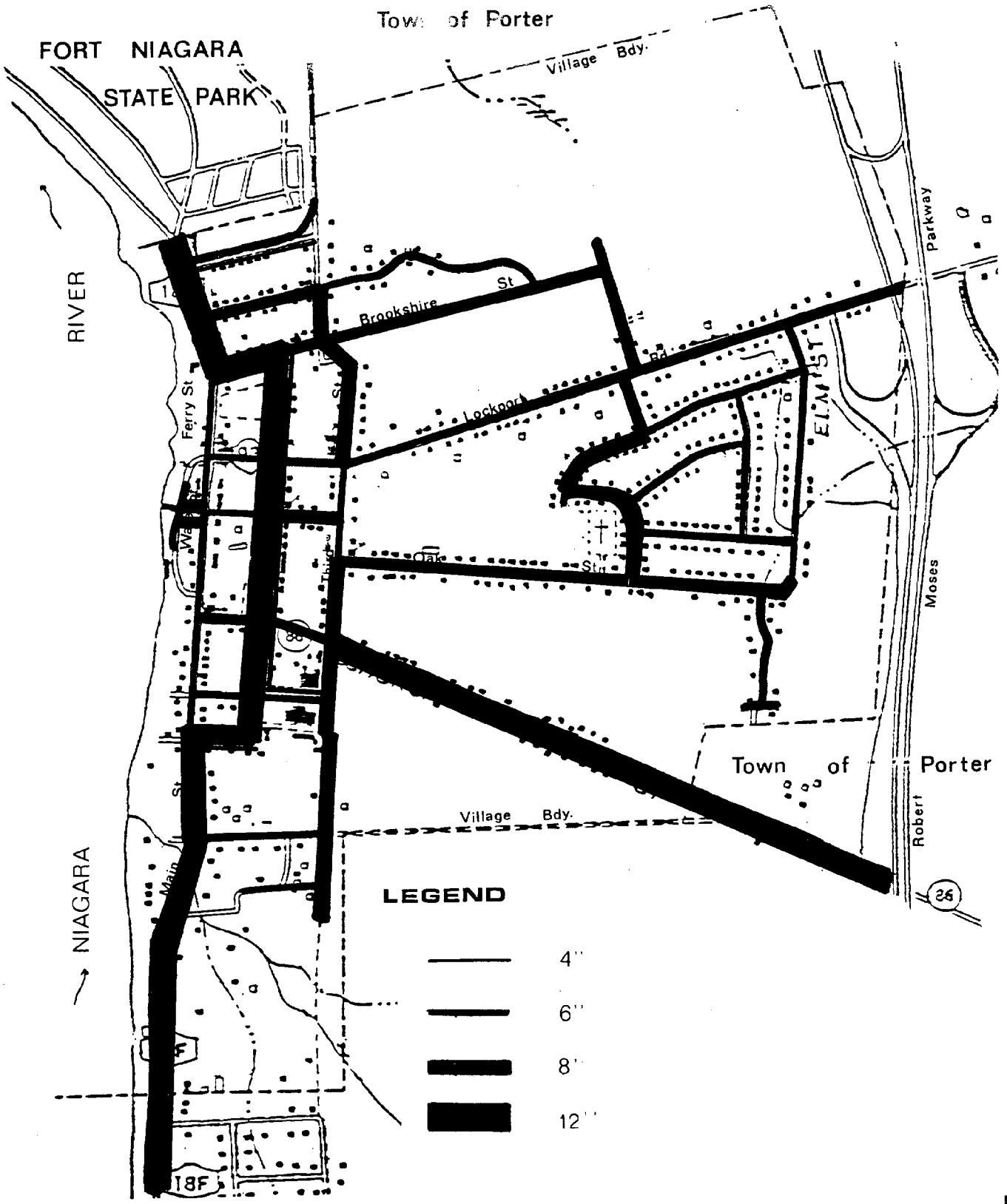
The sanitary sewer network serves most of the Village (only four residential septic systems exist) and possesses no significant capacity problems. Although storm water infiltration has been a problem in the past, an aggressive program to repair mains, close off ground water inflow and separate storm and sanitary water has been successful and is being continued. New commercial development below the waterfront embankment cannot take place without increased pumping and line capacity in the force main from Water to Main Street (currently a 4 inch main). Similarly, sewer service on Candlewood Drive, Lockport Street, and Elm Street must be improved if adjacent vacant lands are expected to develop.

While the collection network in the Village is sound, structural problems have occurred in individual house laterals in Bonwyn Acres (Cherry, Applewood, Parkside, Northfield, Westwood, Brampton). The 110 unit, single-family subdivision was built in 1958 during construction of the New York State Power Project to house families working on the project. The laterals were made of mixed asbestos/concrete material and have universally failed from soil shear, lack of seals, and poor installation. Since area soils are wet, septic capacity in the area has resulted. Replacement is the principal solution, but currently beyond either Village or homeowner means. The Carrollwood/Wingate/Brookshire area has recently been discovered to possess similar yet less serious problems owing to its later construction.

Storm Sewers:

One of the principal problems in the Village is storm water run-off. Due to relatively flat topography and poor permeability of the soil, storm run-off frequently cannot be drained by natural means. The result is ponding of water after major rainstorms. This condition, as highlighted previously, is evident in the area bounded by Church Street, Third Street, Lockport Street and the east corporate limits. The subsequent need for drainage ditches, storm sewers and other manmade means of storm water removal is imperative. Figure 20 depicts the existing storm sewer system in the Village.

The three major outlets for storm water in the Village are the Niagara River, the Robert/Moses Parkway (road ditch system) and north across agricultural lands toward the Lake. Of these, only the Niagara River presents unobstructed drainage and while improvements have been made to better utilize this outlet (larger storm sewers on Carrollwood, Oak and Church Streets oriented to the River), topography limits its potential. The east sections of the Village drain to the Parkway. The ditch east of Elm cannot take any more drainage. Overgrown and narrowed Parkway ditches restrict water flow causing ponding in the Elm/Oak area. The Carrollwood area and



Village of Youngstown

Local Waterfront Revitalization Program

Figure 18: WATER DISTRIBUTION SYSTEM

Planning Consultant: Thomas J. Dearing

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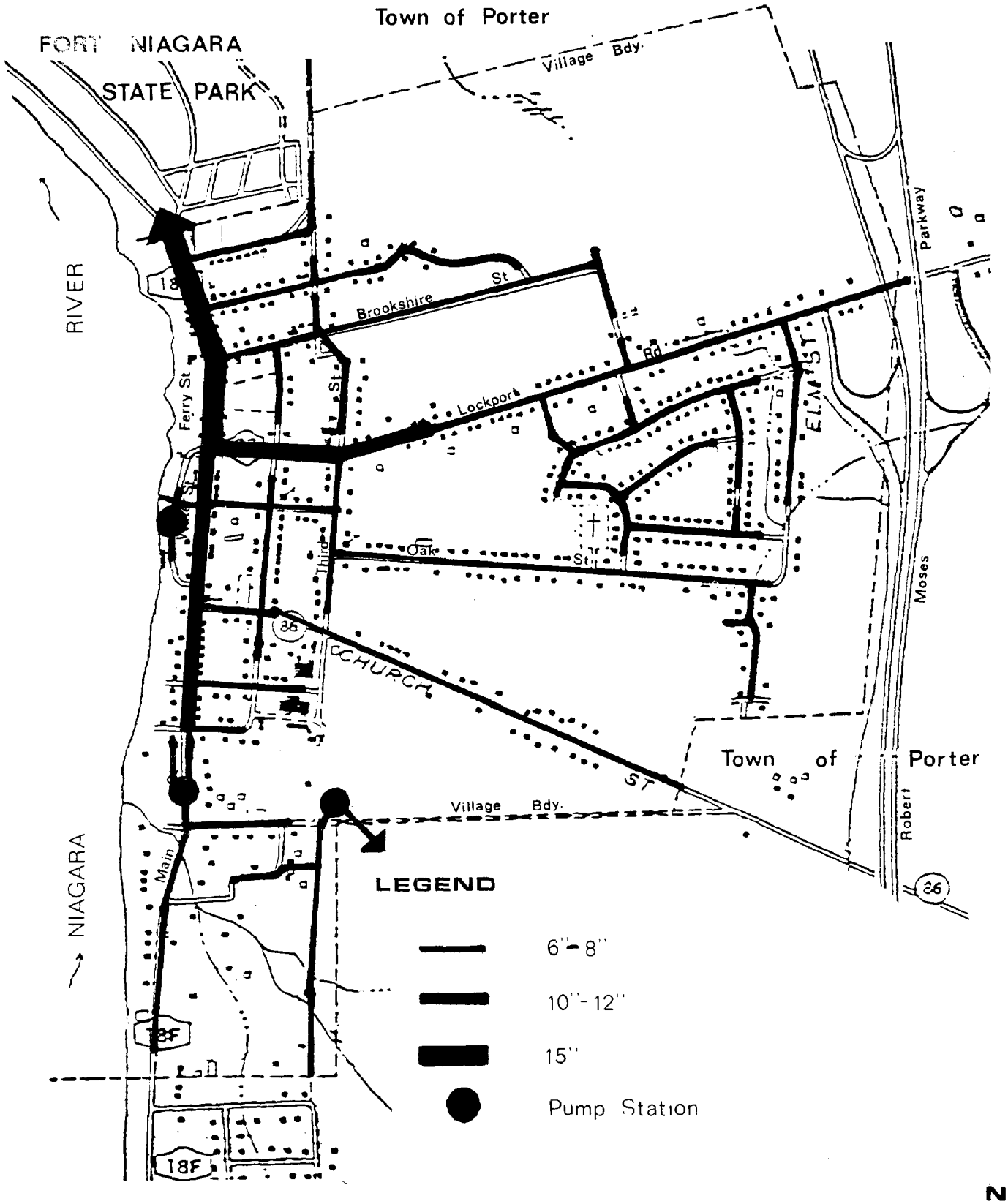
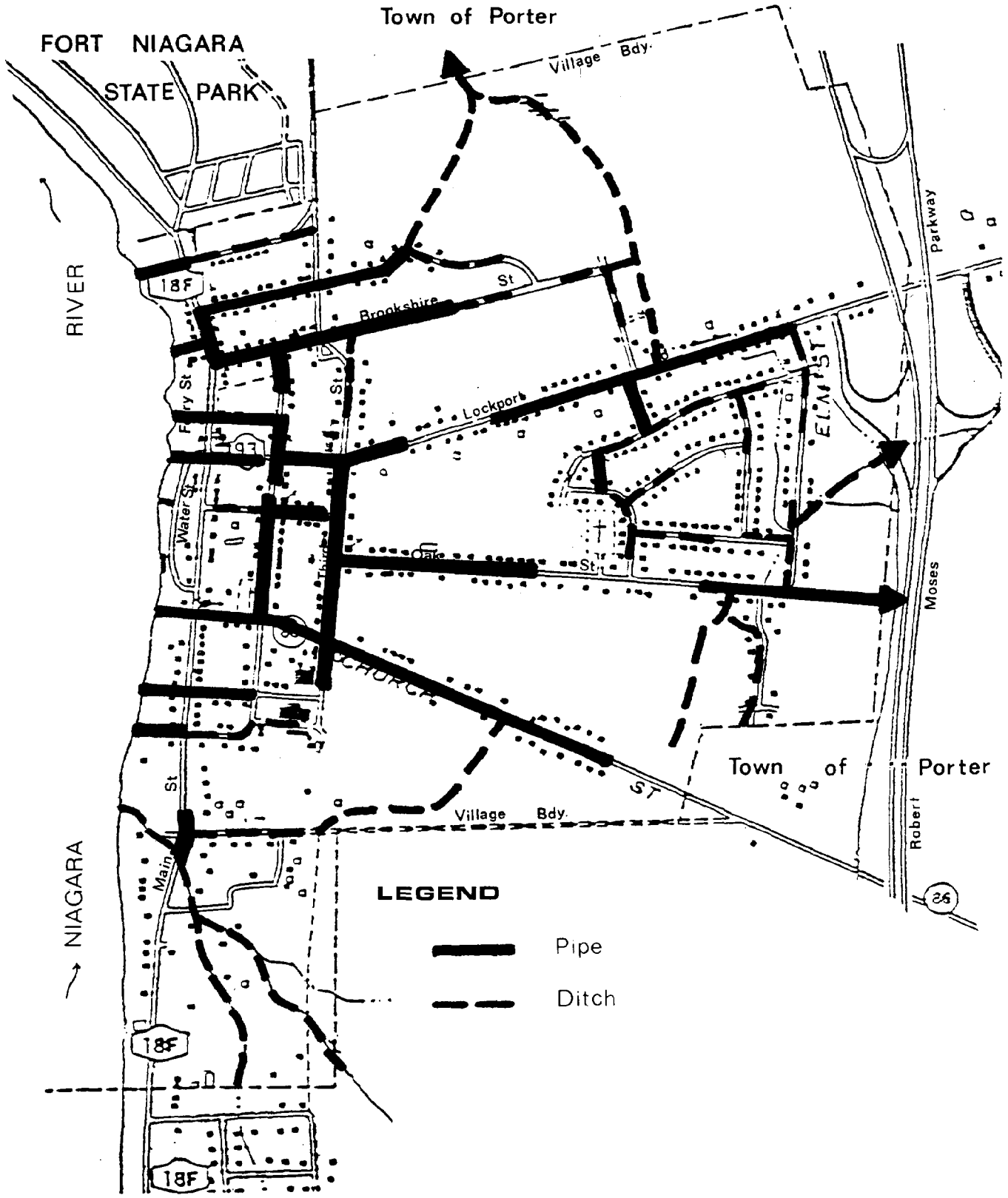


Village of Youngstown

Local Waterfront Revitalization Program

Figure 19: SANITARY SEWER SYSTEM

Planning Consultant: Thomas J. Dearing



Village of Youngstown

Local Waterfront Revitalization Program

Figure 20: STORM SEWER SYSTEM

Planning Consultant: Thomas J. Dearing

Bonwyn Acres flow north to a pond at the Village line. This area is also overgrown and silted, resulting in storm water back-up and ponding. The solution to both of these problems lie beyond the Village boundary.

New development potential on vacant land coincides mostly with areas of storm water problems. The parcels north of Carrollwood and east of Elm receive storm water from other areas, compounding drainage flows. Besides continuing efforts to improve the outlets north of the Village and along the parkway, new develop-ment will need to retain upstream water and properly manage its flow into downstream receivers. This will require retention ponds to hold water until the system can accept excess storm water. In addition, Bonwyn Acres and the Carrollwood area may need storm sewers with restricted outflows to detain water from its eastward and northward flow. The ditch east of Glenvale should also be closed and sewered to avoid current problems of infill and cleaning between existing residences. The establishment of a maintained pond north of Carrollwood within the Village would provide some measure of storm water control. In summary, a comprehensive Storm Drainage Plan is needed to better analyze the issue and suggest storm drainage standards for Village officials when evaluating subdivisions or new construction proposals within the community.

4. Transportation:

The circulation system in Youngstown should provide for the movement of goods and people in a safe, efficient manner and establish adequate access for land development. Such access should not diminish the use of the system or create impediments to traffic flow. Primary vehicle access to the Village is provided by the Robert Moses Parkway (north/south) and the Youngstown-Lockport Road (Route 93) in the east-west direction. Lower River Road (Route 18F) provides additional north/south access into and out of the Village. Route 18F is part of the State Seaway Trail/State Touring Route along Lakes Ontario and Erie, as well as the Niagara River. This designation provides access to the historical features of the Village.

Due to the Village's location along the River and its circumvention by the Parkway, little thru-traffic is generated. The Parkway permits the Fort Niagara traffic to bypass the Village. Local and boating traffic are the most frequent generators. Figure 21 depicts selected traffic counts for the major roads serving Youngstown and its immediate vicinity.

Village collectors are Church, Third, William and Lake Streets. These guide local, residential traffic in a safe and efficient manner to the more heavily traveled minor arterials. Local streets provide adequate circulation for existing and anticipated residential development.

Parking is a minor problem in the waterfront area. Seasonal demand for waterfront-related services periodically causes problems during peak summer weekends. New parking opportunities are discussed in Section IV.

Finally, although the Niagara Frontier Transportation Authority has jurisdiction in the Village, there is no public transportation service in Youngstown. Given the needs of the area residents, this has not created a problem.

It should be noted that Route 18F is presently operating at approximately 50-60% of capacity. Although rated capacities were not available for other roads in the Village, visual observation and discussion with local officials do not reveal any traffic deficiencies.

Figure 21: Selected Traffic Counts

Segment Name	Segment Location	Year	August Daily Traffic	Length
Robert Moses Parkway	Lkpt. - Lake Rds.	1980	8000	2.1 mi.
Lower River Road (18F)	Lkpt. - Pletcher	1980	2000	2.3 mi.
Lockport Road (93)	Lower River Rd. - Parkway	1981	2900	0.9 mi.

Source: Niagara Frontier Transportation Committee, 1983

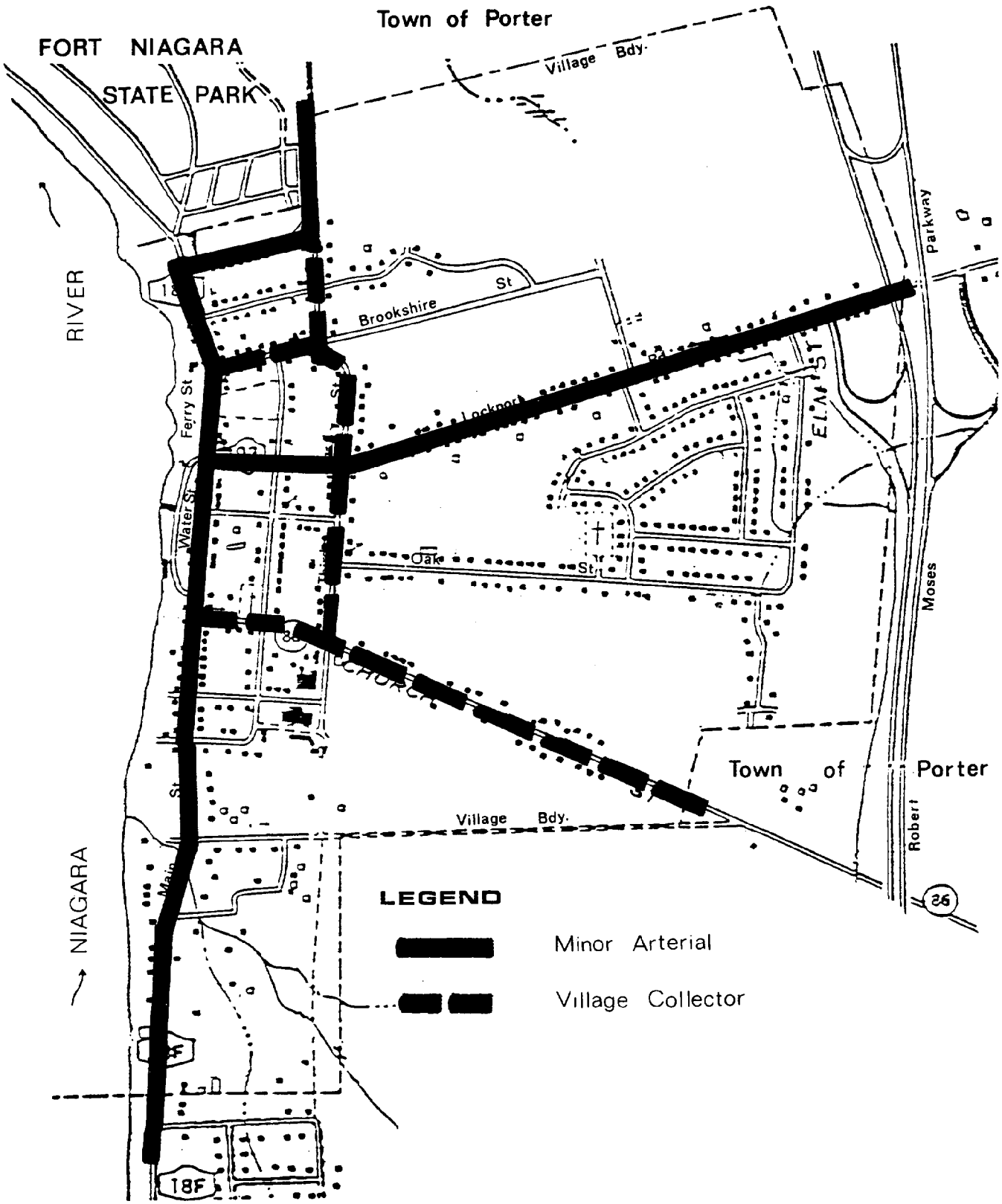
5. Community Services:

1. Fire Protection: Fire protection for the Village is provided by the Youngstown Volunteer Fire Company, located at the corner of Elliott and Third Streets. In case of emergency, units from Ransomville, Lewiston, and Wilson can be called in to provide additional protection.

2. Police Protection: There are no permanent police facilities in the Village. Four part-time officers, however, have been hired to patrol after 6:00 p.m. A police car has been purchased for their use. Year round full-time law enforcement is provided to the Village by the Niagara County Sheriff, Department located in Lockport and Niagara Falls, and a State Police facility located in Lewiston.

3. Solid Waste: Garbage disposal in the Village of Youngstown is provided exclusively by private contractor to the Modern Landfill site at Model Cities in the Town of Lewiston. The site operates under State permits and has a projected life through 2003, according to the 1986 New York State Legislature Commission on Solid Waste. No disposal sites are located in the Village.

4. Coast Guard: For water safety, a Coast Guard search and rescue station is located at Fort Niagara State Park.



Village of Youngstown

Local Waterfront Revitalization Program

Figure 22: **TRANSPORTATION SYSTEM**

Planning Consultant: Thomas J. Dearing

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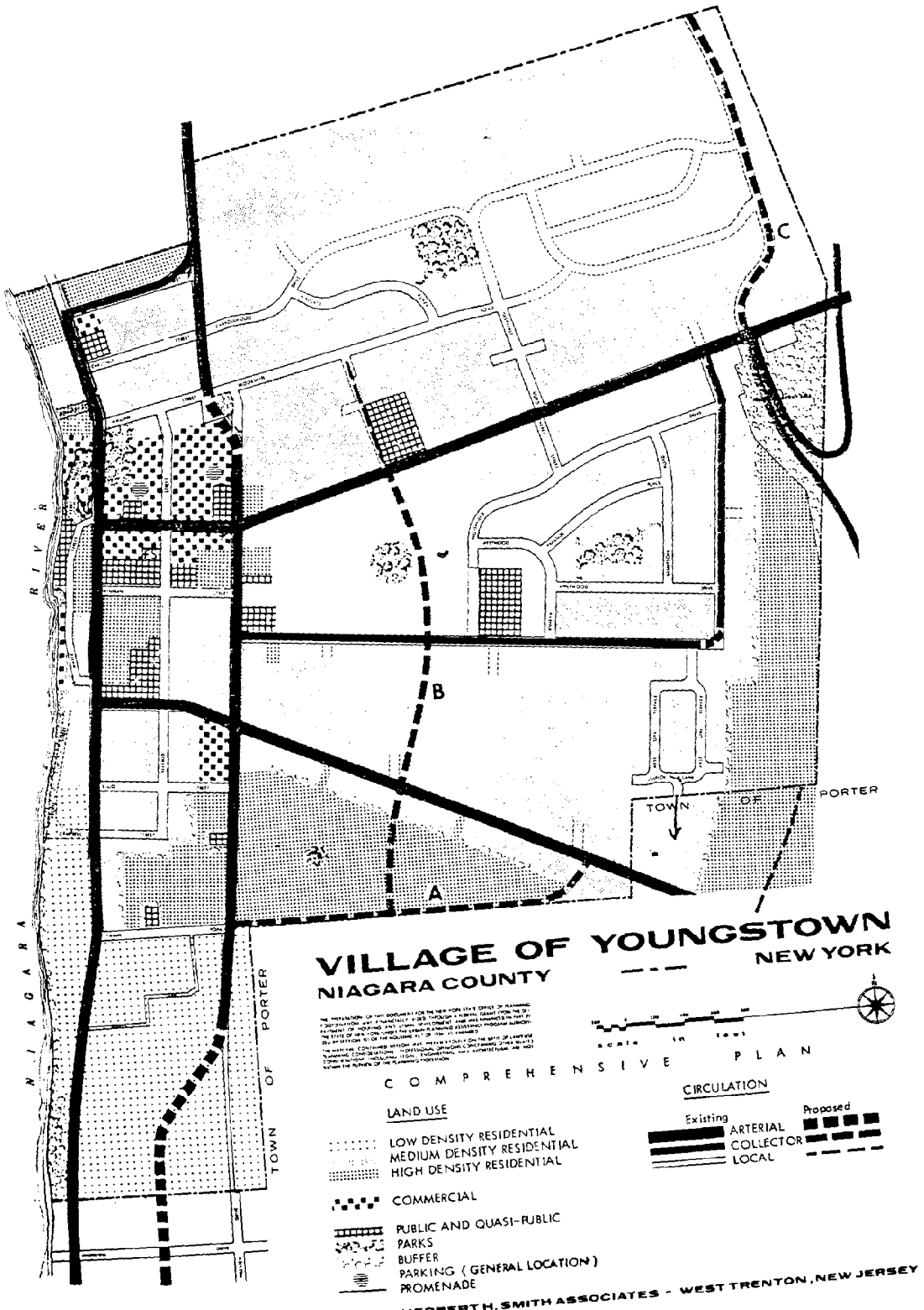

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Village of Youngstown

Local Waterfront Revitalization Program

Figure 23: 1972 COMPREHENSIVE PLAN

Planning Consultant: Thomas J. Dearing

	1972 PLAN RECOMMENDATION	1987 CURRENT STATUS
A.	RESIDENTIAL	A. RESIDENTIAL
1.	130 housing units should be built between 1970 and 1980, to accommodate population growth.	116 units were constructed in this time period.
2.	Recommended that majority of new residential units after 1972 be single-family.	100% were single-family through 1980; between 1981-1985, 40 housing units were built and 92% of these were multi-family.
3.	Area east of River Road, and south of Swain Road, should be developed for low density housing.	Development has not occurred.
4.	Areas between Church and Oak; Lockport and Brookshire; and north of Lockport to the north Village line should be medium density housing.	Development has not occurred.
5.	High density housing should only occur in outlying areas if low or medium density is not proposed.	Construction of Youngstown Village Apts.
6.	Some high density housing may be appropriate along river bank.	Ville Apartments were constructed; however, these were underway at time of plan development.
B.	COMMERCIAL	B. COMMERCIAL
1.	Commercial development should be concentrated in CBD. Include motel/restaurant catering to tourists. Facade improvements should also occur.	Motel development has not occurred.
2.	Specialized business district/promenade should be developed north of Water Street on water's edge.	Recommendation was not carried out.
C.	INDUSTRIAL	C. INDUSTRIAL
1.	The designation of industrial land was not proposed for the Village.	New industrial development has not occurred.
D.	RECREATION	D. RECREATION
1.	Seven new acres of parkland were proposed including an addition to Falkner Park and acquisition of a parcel east of Third Street between Lockport and Oak Streets.	Memorial Park was developed as well as the 1.2 acre Constitution Park.
E.	UTILITIES	E. UTILITIES
1.	Recommended that the Village develop a storm drainage program.	Storm sewer system has been installed.

Figure 24, Page 1: Plan Recommendations and Their Current Status

	1972 PLAN RECOMMENDATION		1987 CURRENT STATUS
F.	CIRCULATION	F.	CIRCULATION
1.	Oak and Elm Streets should be considered to accommodate additional traffic.	1.	Recommendation was not carried out.
2.	New north/south collector between Lockport and the Village line.	2.	Recommendation was not carried out.
3.	New east/west collector between Lockport and Swain St. extension.	3.	Recommendation was not carried out.
4.	New local streets at the following:	4.	Recommendation was not carried out.
	a. Extension of Swain east to Church St. b. Between Brookshire and Lockport Road.		
5.	Realign Elm St. with W. Oak Terrace.	5.	Recommendation was not carried out.
6.	More parking needed downtown.	6.	Recommendation was not carried out.
7.	A planned systematic street improvement progress should be initiated.	7.	Recommendation was not carried out.
8.	The following recommendations were madeto alleviate congestion on Yates Street:	8.	Recommendation was not carried out.
	a. Extend Felly St. North and establish another intersection with Main St.		
	b. If 8 (a) was not feasible, consider closing traffic on Water St. to vehicles and create a pedestrian mall.		
9.	Off-center interesection at Glenvale and Third Street.	9.	Recommendation was not carried out.
10.	Intersection improvement at Williams and Third Street.	10.	Improvement was made.
11.	Extend Third Street from Elliott to Riverview. This would become a minor arterial.	11.	Recommendation was not carried out.
G.	ANNEXATION	G.	ANNEXATION
1.	Two areas totalling 74 acres should be annexed into the Village from Town of Porter.	1.	Recommendation was not carried out.

FIGURE 24, Page 2: Plan Recommendations and Their Correct Status

L. OVERVIEW OF PREVIOUS LAND USE DOCUMENTS

The following narrative briefly describes proposals which have been developed for the Village by different agencies. Reference should be made to Section IV for a description of why certain suggestions were ruled out for inclusion in the LWRP.

1. Comprehensive Plan:

Village of Youngstown (December, 1972). A projected 1990 population of 3,250 was used as the basis for recommending a variety of public improvements and land use designations for Village land. Figure 23 illustrates the 1972 proposed land use plan, while Figure 24 lists plan recommendations and their current status. The major problem with the Comprehensive Plan is the high population of 3250. This is 36% more residents than are currently projected for 1990 in the LWRP. Thus, the extensive road network and residential land allocations noted in the 1972 Plan are not appropriate. Another way of looking at the discrepancy between the 1972 document and LWRP pertains to the number of new residential units each plan projects for 1990. The Village Comprehensive Plan suggests the need for 112 Units between 1985-1990, while the LWRP shows a need for 27 units.

2. Niagara Frontier Bicycle Master Plan:

March 1981 - Niagara Frontier Transportation Committee. The plan proposed a Class I Bikepath on the Robert Moses Parkway right-of- way. This would provide bicycle trail linkage between the Youngstown area and the City of Niagara Falls.

3. Niagara County Economic Development Strategy:

A.D. Little, Inc., (1986). The report identified the Youngstown area as part of a larger tourist circuit in the County. The circuit would link scenic areas such as the Niagara Gorge, Barge Canal, and Lake Ontario boating sites. The report also examined the feasibility of creating a super marina at Youngstown capable of accommodating 400-600 moorings/slips. This was ruled out due to physical constraints of the site and the hamlet of Olcott was selected instead.

4. Fisheries Development Plan:

Niagara County Department of Economic Development and Planning (January, 1984). Although the report did not recommend specific projects within the Village, it did propose new boat launch facilities at both Fort Niagara State Park and Four Mile Creek State Park. Due to their close proximity to the Village, it is important to note the proposals in this overview. The launch at Fort Niagara has been completed.

M. OVERVIEW OF MARKETING FACTORS

A key determinant of any future land or water use for the Youngstown waterfront is market conditions. The potential for a particular use must be considered in relation to community desires and physical constraints to land development. This will ensure that the LWRP is not prepared in a vacuum. The scope of the waterfront program, however, does not permit a detailed market analysis for all uses. Rather, it is appropriate to include a general overview of market conditions for selected land uses most often mentioned in past studies of the Village's waterfront. The information used in the evaluation was developed through basic land use demand/need methodologies. The results of the marketing analysis were used in developing proposed land and water uses for the Village.

1. Parkland:

The Village currently has approximately 13.25 acres of public park land. A standard of 5 acres per thousand population is recommended in the New York State Outdoor Recreation Plan (1983). When applying this standard to the Village, it can be seen that Youngstown has adequate park space to serve their population both now and into the future. The following illustrates this point:

Year	Popu.	Park Space Needed	Park Space Available
1985 (Est.)	2100	10.5 Acres	13.25 Acres
1990 (Proj.)	2200	11 Acres	N/A
2000 (Proj.)	2300	11.5 Acres	N/A

The low need for more park space is even more evident when the State facilities at Fort Niagara, Four Mile Creek, and Joseph Davis State Parks are taken into account.

2. Housing:

An analysis of the housing need in the Village through the Year 2000 was carried out using the population projections contained in Section II and the household projections established by the Erie and Niagara Counties Regional Planning Board in July, 1985 for the Year 2000.

Finally, by using the Village household size and the population projections for the Year 2000 it was determined that approximately 78 additional residential units will be needed in Youngstown over the next 13 years. For planning purposes a 10% deviation factor should be added to this projection which would increase the expected units by 8, bringing it to a total of 86 units. This is not significant and can easily be accommodated on existing vacant parcels within the Village.

3. Retail:

Due to the minor population growth anticipated during the study period, significant retail development will not occur. Existing neighborhood commercial uses such as food stores and pharmacies adequately serve the current population and can handle the approximately 200 new residents by the year 2000.

It should be noted, however, that demand for restaurants and boating/fishing/camping support facilities will likely increase over the coming years. Recreational improvements at surrounding state parks, combined with a modest increase in tourist traffic, will create opportunities for new commercial enterprises within Youngstown.

4. Marinas and Boat Launch:

Market conditions and public demand suggest that additional recreational boat slips and launching facilities are needed in the Youngstown area. The physical constraints posed by the steep river shoreline and limitations of existing traffic patterns, however, rule out the feasibility of such uses within the Village.

N. SUMMARY OF KEY FINDINGS AND ISSUES

The following provides a brief summary of opportunities and constraints/problems present in the Village.

1. Niagara River water quality has been severely threatened by toxic chemical intrusions. Although the solutions are beyond Village jurisdiction, it is critical that Youngstown officials be active in remedial plan development.

2. Although Village population will not grow to a great degree through the Year 2000, the slight rise in elderly population coupled with the decrease in household size will create some need for multiple family housing units.

3. The modest population growth projected for the Year 2000 will create few market opportunities for new residential, commercial, and industrial growth. However, fishing and tourism activities generated by the River and adjacent State Parks will create retail opportunities for businesses catering to the needs of outside visitors.

4. During the peak boating season vehicle/pedestrian congestion is a problem in the Water/Main Streets area.

5. Public access to the River is limited for Village residents. This not only includes physical access but visual access as well.

6. The use of the public park on Water Street is hampered by the adjacent Yacht Club congestion, steep slope of the riverbank, small size of the parcel, and limited parking area, and intrusion onto parkland by the former Customs building.

7. Storm drainage is a problem in the outlying areas of the Village east of Third Street.

8. Due to the Village's location near Fort Niagara and the confluence of the Niagara River with Lake Ontario, it has a rich history. This is reflected in area landmarks and structures. Opportunities exist to promote the historic flavor of the Village while at the same time, safeguarding these same resources from deterioration due to age or structural changes.

9. The existing Village Comprehensive Plan was prepared in 1972 and based on inflated population projections. This has reduced the document's usefulness to Youngstown officials as a planning guide.

10. Since 36%, or 257 acres, of Village land is vacant, Youngstown can easily accommodate the modest growth anticipated. However, planning is required to insure that such development occurs in an economic and environmentally sound manner. It is estimated that 20 acres of Village land will be converted from vacant to a developed category by the Year 2000.

11. A major impediment to waterfront development is the steep slope. However, this feature also creates spectacular views for residents and visitors to Youngstown. The challenge is to provide accessibility to these visitors wherever possible. The embankment also requires protection from development which would hasten unwarranted erosion.

12. The Village has four stub streets going from Main Street toward the River. These provide opportunities for physical or, at a minimum, visual access to the water from Main Street. A serious constraint, however, is the fact that the property can only be used for transportation purposes.

13. Constitution Park represents a unique opportunity to capitalize on both the scenic vistas offered by the bluff, as well as the direct River access provided by the waterside section. It is important that the design and use of this area be treated sensitively and incorporate the needs of the community as to its eventual use. Mechanisms to better link Constitution Park with the adjacent Falkner Park should also be examined.

SECTION III

WATERFRONT REVITALIZATION PROGRAM POLICIES

DEVELOPMENT POLICIES

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

POLICY 1A **REVITALIZE THE UNDERUTILIZED MAIN STREET/LOCKPORT STREET COMMERCIAL AREA FOR RECREATIONAL, COMMERCIAL, AND OTHER COMPATIBLE USES.**

POLICY 1B **UPGRADE FACADES AND SIGNAGE ALONG THE MAIN STREET COMMERCIAL AREA.**

POLICY 1C **DEVELOP A PUBLIC PROMENADE ALONG MAIN STREET FROM HINMAN STREET TO THE FORT NIAGARA STATE PARK ENTRANCE.**

POLICY 1D **MAINTAIN THE EXISTING ENTRANCE TO THE FORT NIAGARA STATE PARK AT THE END OF MAIN STREET IN THE VILLAGE OF YOUNGSTOWN.**

Explanation of Policy

The three block Main Street/Lockport Street area is an underutilized commercial strip which is characterized by non water dependent or enhanced land uses along the waterside of Main Street. The corridor contains minimal landscaping and street furniture. It is dominated by a myriad of overhead utility lines and poles. Finally, the building facades and signs are disjointed and require a consistent theme.

The public and private groups within the Village have also not organized to promote the commercial establishments or undertaken any public improvements to enhance the area. This situation has resulted in lost opportunities for the Village. As noted in Section II, the resurgence of sport fishing and the continued viability of recreational boating and Fort Niagara State Park as visitor draws create opportunities for the Youngstown Village center. New demands for sport fishing support services will occur as new launches are opened at Fort Niagara State Park and possibly Four Mile Creek State Park. The proximity of the Village to Fort Niagara State Park should be capitalized on to better channel tourists into the Village for meals, scenic stop overs, or specialty shopping. The Seaway Trail should be signed along the appropriate streets to assist in this endeavor.

These opportunities can be realized through the implementation of the above policies.

The following guidelines will be used to review actions for consistency with this policy as it pertains to any future development of the area covered by Policy 1A.

a. Priority should be given to uses which are enhanced by or dependent on a location in close proximity to the water (e.g. sight seeing at Fort Niagara State Park) and the recreational activities associated with it.

b. The action should enhance existing and anticipated uses.

c. The actions should serve as a catalyst for private investment in the area.

d. The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration. For example, a building could not be abandoned without protecting it against vandalism and/or structural decline.

e. The action must lead to development which is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use.

f. The action should have the potential to improve the existing economic base of the community, and, at a minimum, must not jeopardize this base.

g. The action should improve adjacent views of the water and, at a minimum, must not affect these views in an insensitive manner. This guideline applies to the vista seen from Constitution Park.

h. The action should be consistent with the following guidelines relative to use, structure height, signage, bulk and landscaping.

(1) Uses permitted include restaurants, bait/tackle shops, ship supply, specialty shops/boutiques, professional and craft studios, professional offices and residential uses, except on the first floor of buildings, village inns, parkland, parking as required under the Village Zoning Ordinance, and accessory uses incidental to the above uses.

(2) In addition to those uses listed in paragraph h(1) above drugstores, stores selling groceries, meats, baked goods, and other such food items, are permitted on the east side of Main Street.

(3) The height of buildings shall not exceed thirty (30) feet unless provisions are included in the land or building improvement which provide substantial areas to view the Niagara River which are accessible to the public. In such cases, the structure height can be increased by an additional ten (10) feet.

(4) Billboards, ground signs, roof signs, projecting, and single standard signs are prohibited.

(5) All signs shall be integrated with the structure, its style, design, and architectural elements.

(6) Neon signs, and any other signs displaying flashing or visible moving elements are prohibited.

(7) One wall sign shall be permitted on each wall for each non residential use in a structure.

(8) Wall signs shall not project more than 12 inches from the wall to which they are affixed.

(9) Wall signs shall not extend above or beyond the wall in any direction and shall not extend above the bottom of the sill of second story windows or 15 feet above grade level.

(10) Allowable square footage of sign areas shall be 75% of the street frontage of the particular building said sign(s) is affixed to.

(11) All commercial and business uses shall be limited to 4,000 gross square feet, unless provisions are included in the building or land improvement for substantial areas to view the Niagara River which are accessible to the public. In such cases, gross square footage can be increased to 5,000 square feet.

(12) While recognizing the small nature of lots in the Main Street commercial area, any new development shall make efforts to incorporate adequate landscaping into any improvements. This shall include buffering parking areas, outdoor storage sites, and loading/unloading areas.

(13) Facade improvements shall be consistent with the generally brick, woodframe, stonework and clapboard siding features currently characteristic of the area.

(14) The mass and bulk of any new construction should be in harmony with adjacent buildings. The relationship of width to height of new structures shall be consistent with the ratio of the adjacent structures.

(15) Color choice of new construction should be influenced by surrounding development. The color of new structure should not make it stand out.

(16) Where building sites limit planting, the placement of trees in parking lots or paved areas is encourage.

If an action is proposed to take place outside of the areas covered by this policy, and is either within the Village of Youngstown or adjacent coastal communities, the agency proposing the action must first determine if it is feasible to take the action within the area covered by this policy. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause deterioration of that area covered by this policy.

See also policies 2, 19, 20, 21.

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

POLICY 2A **MAINTAIN THE MIX OF WATER-DEPENDENT COMMERCIAL AND RECREATIONAL USES IN THE WATER STREET/FERRY STREET AREA.**

POLICY 2B **PROMOTE WATER-ENHANCED USES ON THE WEST SIDE OF MAIN STREET ON TOP OF THE BLUFF GENERALLY BETWEEN HINMAN AND WILLIAM STREET.**

Explanation of Policy

There is no waterfront space available for development in the Village immediately adjacent to the River. The upland area on the west side of Main Street, between Hinman Street and William Street, includes small vacant parcels and some developed land which could, in the future, be subject to reuse pressure.

The Village shall continue to accommodate and give priority to those water-dependent uses such as marinas, yacht clubs, boat storage, public parks and boat launches located in the Water Street/Ferry Street area. The two Coast Guard approved anchorage areas in the Niagara River are important contributions to the waterfront ambience of the community. They should be continued as they provide important moorings for residents and transient boaters. The general limits of the anchorage areas should not extend beyond those currently defined by the Coast Guard. This will insure that congestion does not occur and sound navigational safety is maintained.

The traditional method of land allocation (i.e. the real estate market), with or without local land-use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to the Niagara River. To ensure that such "water-dependent" uses can continue to be accommodated within the Village, Federal, State and Village agencies will avoid undertaking, funding or approving non-water-dependent uses when such uses would preempt an existing water-dependent use; furthermore, Federal and State agencies and the Village will utilize appropriate existing programs to maintain existing water-dependent activities.

The following uses and facilities are considered as water-dependent:

1. Recreational activities which depend on access to the Niagara River (for example: fishing, boating, viewing of water activities).

2. Structures needed for recreational navigation purposes.

3. Flood and erosion protection structures (for example: bulkheads).

4. Facilities needed to store and service boats (for example: marinas, boat repair, yacht clubs).

5. Scientific/educational activities which, by their nature, require access to coastal waters.

6. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (e.g. parking lots, snack bars, first aid stations). Although these uses must be near the given water-dependent use, they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.

Water-dependent uses shall comply with specific design standards. These include the following:

1. Structures shall not exceed thirty (30) feet.

2. Signs shall be governed by those standards listed under Policy 1.

3. Wherever possible, landscaping such as shrubs, fences, or hedges shall be used to screen parking areas, outdoor storage sites, loading/unloading areas from public streets, parkland, and the Niagara River. Where fences are used, they must not exceed a maximum of four (4) feet in height and consist of stone, iron, or wood materials.

4. Lighting shall not unreasonably interfere with the use of neighboring premises.

5. Fuel storage facilities at marinas, boatyards, and yacht clubs shall be adequately containerized to prevent spillage, leakage, or damage from adverse weather conditions.

6. New development shall be consistent with the maritime theme of the area, recognize the vehicle/parking limitations of Water Street, and respect the scenic nature of the area by not blocking views from Waterfront Park, or the top of the bluff at Constitution Park.

7. Newly installed utilities and service revisions necessitated by exterior alterations shall be underground.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate on the upland portion of the Village waterfront on the west side of Main Street between Hinman and William Streets. A water-enhanced use is defined as a use that has no critical dependence on a waterfront location, but the profitability of the use and/or the enjoyment level of the uses would be increased significantly if these were adjacent to, or had visual access to, the waterfront. A restaurant view is an example of a water-enhanced use, as well as small specialty shops or galleries which create views for public enjoyment within their retail areas.

If there is no immediate demand for a water-dependent use along the Niagara River but a future demand is reasonably foreseeable, temporary non-water-dependent uses should be considered which involves an irreversible, or nearly irreversible commitment of land. Passive recreational facilities, outdoor storage areas, (Note: This does not include boat storage), and non-permanent structures are uses of facilities which would likely be considered as "temporary" non-water dependent uses.

The following use and design standards for water-enhanced uses shall be complied with for activities having frontage on the west side of Main Street.

1. See paragraphs h(1) and h(3-15) under Policy 1 explanation.

Specific water-dependent and water-enhanced uses to be accommodated within the Village's waterfront area are described in Section IV, Proposed Uses. New water-dependent and water-enhanced uses to be developed within the Village's waterfront

area are to be sited and designed, so that they enhance, or at least do not detract from the surrounding area. Consideration should be given to such factors as the protection of nearby residential areas from odors, noise and traffic. Affirmative approaches should be employed, so that water dependent uses and adjacent uses will complement one another. Water dependent and water enhanced uses must also be sited, developed and operated so as to avoid adverse impacts on water quality, shoreline bluffs and any other significant coastal resource.
See Policy 1, 11A, 12, 19, 20, 21, and 25.

POLICY 3 **THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF MAJOR PORTS IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN**

POLICY 4 **THE STATE COASTAL POLICY REGARDING THE STRENGTHENING OF SMALL HARBORS IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

POLICY 5 **ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE, EXCEPT WHEN SUCH DEVELOPMENT HAS SPECIAL FUNCTIONAL REQUIREMENTS OR OTHER CHARACTERISTICS WHICH NECESSITATES ITS LOCATION IN OTHER COASTAL AREAS.**

Explanation of Policy

The purpose of this policy is intended to:

-- strengthen existing residential, industrial and commercial centers;

-- foster an orderly pattern of growth where outward expansion is occurring;

-- increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;

-- preserve open space; and

-- where desireable, foster energy conservation by encouraging proximity between home, work, and leisure activities.

Development in the Village is generally concentrated west of Third Street. Utility systems extend to outlying subdivisions, but do not provide immediate access to vacant interior parcels. Although the distribution lines will require some short extensions, the capacity of existing sewer and road systems are adequate to handle future development anticipated within the Village. However, certain improvements to the storm drainage and water systems will be necessary to accommodate existing and proposed uses.

The following areas will require water and sewer extension off main trunk lines in order to accommodate development.

(a) Seven acre site between Brookshier and Lockport Road - approximately 600 feet from Third Street.

(b) Ten acre parcel located adjacent to Youngstown Village Square Apartments. A maintained retention pond will likely be required in this area to control storm water flows.

(c) Eight acre parcel off Oak Street.

(d) Vacant interior parcels between Oak and Church Streets, east of Third Street. This area will also need storm sewers with restricted outflows to detain water from its eastward and northward flows.

(e) Vacant interior parcels between Church Street and the Village Boundary.

All of the above parcels are identified as having high or medium development potential on Figure 11 as contained in Section II.

Further details on drainage improvements are contained in Policies 33 and 37.

In addition, the Water Street/Ferry Street area has limited utility access due to topographic conditions. Other public services have difficulty serving the area due to the road grade as well. Therefore, any new development must recognize the restrictions in their design and where necessary compensate the Village for any extra public costs incurred due to the development location. Reference should be made to Policy 12 for additional guidelines concerning development in this area.

Guidelines for assessing infrastructure adequacy as pertains to any new development within the Village include the following:

a. Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development.

b. Development's water needs (consumptive and fire fighting) can be met by the existing water supply system.

c. Sewage disposal system can accommodate the wastes generated by the development; septic systems will be prohibited.

d. Energy needs of the proposed land development can be accommodated by existing utility systems.

e. Stormwater runoff from the proposed site can be accommodated by on-site facilities.

f. Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop or conduct business in the area as a result of the development.

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

Explanation of Policy

The confusion, time delay, and costs associated with the issuance of permits required from all government levels prior to approval of waterfront development

is not conducive to attracting public or private investment along the shoreline.

The Village of Youngstown will utilize existing laws to ensure compliance with the Village LWRP and, for any new regulations, will coordinate and combine review periods, as well as public hearing requirements to the maximum extent possible.

For specific types of development activities and in areas suitable for such development, local, State and Federal agencies will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives are not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures and programs are synchronized with the procedures of other agencies at each level of government. Finally, regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

When proposing new regulations, an agency will determine the feasibility of incorporating the regulations within existing procedures, if this reduces the burden for facilitating a particular type of development and will not jeopardize the integrity of regulatory objectives.

FISHING AND WILDLIFE POLICIES

POLICY 7 **THE STATE COASTAL POLICY REGARDING THE PROTECTION OF SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

POLICY 8 **PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTE AND OTHER POLLUTANTS WHICH BIO-ACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECTS ON THOSE RESOURCES.**

Explanation of Policy

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law SS 27-0901.3 as follows:

Hazardous waste means a waste or combination of wastes which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may:

a. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or

b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed.

A list of hazardous wastes (6 NYCRR Part 371) has been adopted by the NYS DEC. The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the Village's air, land

and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the Village's coastal fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes, generated from point and non-point sources, and not identified as hazardous wastes, but controlled through other State laws.

POLICY 9 EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

Explanation of Policy

The recreational value of the Lower Niagara River, which has a good concentration of fish resources, is of extreme importance to Village residents. The River is a high quality fishing spot in close proximity to the Village center and the older residential area. These factors reflect the unique opportunity to provide ancillary support facilities in the Water Street/Ferry Street and Main Street areas.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish resources and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include biology of the species, carrying capacity of the resources, public demand, costs and available technology.

There are also non-consumptive uses of fish and wildlife resources which can be enjoyed. These include nature study, photography, and bird watching.

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

1. Consideration should be made by Federal and State agencies and the Village of Youngstown as to whether an action will impede existing or future utilization of the Village's recreational fish resources within the Niagara River and adjacent to the Village boundaries.

2. Efforts to increase access to recreational fish resources should not lead to overutilization of that resource.

3. The impacts of increasing access to recreational fish resources should be determined on a case-by-case basis, by conferring, as needed, with a trained fish and wildlife biologist.

4. Any public or private sector initiatives to supplement existing stocks (e.g. stocking the River with fish reared in a hatchery) must be done in accord with existing State law.

Reference should be made to Policies 19, 20, and 21.

POLICY 10 **THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF COMMERCIAL FISHING IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

POLICY 11 **BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIVES CAUSED BY FLOODING AND EROSION.**

POLICY 11A **BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THOSE AREAS DESIGNATED AS SPECIAL FLOOD HAZARD AREAS SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIVES CAUSED BY FLOODING.**

Explanation of Policy

The following public purposes are advanced by the successful implementation of this policy:

1. Protect human life and health.

2. Minimize expenditures of public money for costly flood control projects.

3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.

4. Minimize prolonged business interruptions.

5. Minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines, streets and bridges, located in areas of special flood hazard.

6. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas.

7. Ensure that potential buyers are notified that property is in an area of special flood hazard.

8. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

This policy applies to special flood hazard areas identified by the Federal Emergency Management Agency.

Guidelines for reviewing proposed actions for consistency with this policy include the following:

1. Restrict or prohibit uses which are dangerous to health, safety and property to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.

2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

3. Ensure that any alteration of natural floodplains, stream channels and natural protective barriers which would help accommodate or channel flood waters is properly controlled.

4. Ensure that any filling, grading, dredging and other development which may increase flood damage is properly controlled.

5. Prevent the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

6. Require an assessment of the range of river levels for those proposing to construct structures in the program area.

When human lives may be endangered by major waterfront storms, all necessary emergency preparedness measures shall be taken, including disaster preparedness planning.

POLICY 12 **ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BLUFFS.**

Explanation of Why Policy is Not Applicable

This State policy is not applicable to the Village of Youngstown because the New York State Department of Environmental Conservation has not identified any coastal erosion hazard areas within the Village.

POLICY 12A **PROTECT THE BLUFFS ALONG THE NIAGARA RIVER FROM EXCESSIVE DEVELOPMENT THAT WOULD COMPROMISE THEIR NATURAL CAPACITIES, OVERBURDEN PUBLIC SERVICE CAPACITIES WITHIN THE WATER STREET/FERRY STREET AREA, AND NEGATIVELY IMPACT VIEWS SEEN FROM THE TOP OF THE BLUFF TO THE RIVER AND FROM THE RIVER TO THE VILLAGE ITSELF.**

Explanation of Policy

The steep slopes east of Water Street and along the Niagara River help safeguard coastal lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of coastal features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of these landforms. Activities or development in, or in proximity to, the bluffs must ensure that all such adverse effects are minimized.

This policy shall apply to the bluff areas beginning at the Village's south corporate limit west of Main Street and extending north to the north boundary of the R-15 zoning district, south of the Villa Apartments.

The following guidelines shall be used in determining the consistency of proposed actions with this policy. In general, any activity or development in, or in proximity to, the bluffs that may be permitted under the following guidelines must be consistent with other applicable policies of the LWRP and must prevent, if possible, or minimize any adverse effects on the bluffs and their protective functions and values.

1. BLUFF: The waterward limit of a bluff is its intersection with a land area having a slope of 6% or less. Where no such land area exists the waterward limit is mean low water. The landward limit of the bluff is 10 feet east of the bluffs receding edge, with the exception of the portion of the bluff between the south and north intersections of Water Street and Main Street. In these sections, the landward limit shall be the bluff's receding edge.

2. The only activities allowed on the bluff are those listed below:

   a. Movable structures. Movable structures as defined by the adopted Village of Youngstown Zoning Ordinance on file in the Village Clerk's office may be constructed or placed within the bluff only if no permanent foundation is attached to the movable structure.

   b. Bluff cuts for the provision of shoreline access, where:

      - o the cut is made in a direction perpendicular to the shoreline.
      - o ramp slope of the bluff cut does not exceed 1:6.
      - o side slopes and other disturbed non-roadway areas are stabilized with vegetation or other approved physical means.
      - o completed roadways are stabilized and drainage provided for.

   c. New construction modification or restoration of walkways, stairways, and small sheds used to store boating supplies not to exceed 75 square feet in gross floor area.

   d. Erosion control structures such as rip rap, groins, and shorewall protection structures.

   e. Utility lines and pump stations.

3. Standards for activities within the bluff are as follows:

   a. Activities shall minimize grading and cut and fill operations, ensure conformity with natural topography, and retain natural vegetation and trees to the maximum extent practicable in order to create the least erosion potential and handle adequately the volume and rate of velocity of surface run-off.

   b. Disturbed soils shall be stabilized and revegetated or seeded as soon as practicable following construction.

   c. In no case shall stormwater be diverted to another property either during site preparation or after development.

d. Trails and walking paths shall be sited and constructed so they are not a source of sediment.

e. Erosion protection structures shall be constructed to minimize downstream impacts and shall not increase offsite flooding or erosion.

f. Activities shall be sited in such a manner so as not to block existing views off Main Street.

g. Activities shall be sited in an unobtrusive manner in terms of scale, height, colors and location so as to blend in with the natural landscape and maintain the existing views of the bluff as seen from the Niagara River.

POLICY 13 THE STATE COASTAL POLICY REGARDING THE CONSTRUCTION AND RECONSTRUCTION OF EROSION PROTECTION STRUCTURES IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.

POLICY 14 ACTIVITIES AND DEVELOPMENT, INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT, OR AT OTHER LOCATIONS.

POLICY 14A DEVELOPMENT WITHIN THE BLUFF AREA INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT, OR AT OTHER LOCATIONS.

Explanation of Policy

Erosion is a process which occurs naturally. However, by their actions, people can increase the severity and adverse effects of this process, causing damage to, or loss of property, and endangering human lives. Those actions include: the failure to observe proper drainage or land restoration practices, thereby causing run-off and the erosion and weakening of bluff areas.

See guidelines for Policy 12A.

POLICY 15 THE STATE COASTAL POLICY REGARDING MINING, EXCAVATION AND DREDGING IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.

POLICY 16 PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION, OR EXISTING DEVELOPMENT; AND ONLY WHERE THE PUBLIC BENEFITS

OUTWEIGH THE LONG-TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

Explanation of Policy

Public funds can be used for a variety of purposes on the Village's shoreline. This policy recognizes the public need for the protection of human life and existing development or new development which requires a location in proximity to the coastal area, recognizes the adverse impacts of such activities and development on the rate of erosion and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds. See Policy 12A.

POLICY 17 **WHENEVER POSSIBLE, USE NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURE SHALL INCLUDE; (i)THE SET BACK OF BUILDINGS AND STRUCTURES; (ii) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FENCING AND DRAINAGE; (iii) THE RESHAPING OF BLUFFS; AND (iv) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.**

POLICY 17A **THE VILLAGE SHALL USE NON-STRUCTURAL MEASURES TO PROTECT THE BLUFF AREA AS A NATURAL PROTECTIVE FEATURE WHICH PROTECTS THE UPLAND AREA FROM FLOODING AND EROSION.**

Explanation of Policy

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

This policy shall apply to the planning, siting and design of proposed activities and development located on bluff areas as defined in Policy 12A.

Non-structural measures shall include, but are not limited to, those design guidelines noted for Policy 12A.

POLICY 18 **TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.**

Explanation of Policy

Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the purposes of safeguards which the State has established to protect those waters and resources. Proposed actions must take into account the social, economic and

environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation and recreation.

PUBLIC ACCESS POLICIES

POLICY 19 **PROTECT, MAINTAIN AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL OF THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.**

POLICY 19A **PROTECT, MAINTAIN AND INCREASE THE LEVEL AND TYPES OF ACCESS TO THE VILLAGE WATERFRONT PARK AND CONSTITUTION PARK.**

POLICY 19B **THE VILLAGE SHALL PROVIDE OFF STREET PARKING EAST OF MAIN STREET TO HANDLE DEMAND FROM CONSTITUTION PARK AND WORK WITH THE YACHT CLUB IN IDENTIFYING NEW PARKING AREAS EAST OF MAIN STREET ONCE THE EXISTING SPACES ARE ELIMINATED ON THEIR PROPERTY.**

POLICY 19C **THE VILLAGE SHALL PROVIDE ACCESS STAIRS FROM THE TOP OF THE BLUFF LOCATED WEST OF HINMAN STREET TO THE WATER STREET AREA.**

POLICY 19D **THE VILLAGE SHALL PROVIDE STAIRWAY ACCESS FROM THE TOP OF THE BLUFF AT CONSTITUTION PARK TO THE PARK'S WATERSIDE AREA.**

POLICY 19E **THE VILLAGE SHALL WORK WITH NIAGARA COUNTY IN PROVIDING PAVEMENT MARKINGS ACROSS MAIN STREET BETWEEN FALKNER AND CONSTITUTION PARKS.**

Explanation of Policy

Existing public water related recreation resources and facilities within the Village of Youngstown include Waterfront Park and Constitution Park. It is essential that public access to these facilities be maintained and that pedestrian access be improved to both facilities.

In addition, the Youngstown Yacht Club has prepared a redevelopment plan for their property. It proposes eliminating the parking spaces north of the clubhouse and south of Constitution Park.

In order to avoid congestion within the Village Center area once the redevelopment plan is implemented, the Village will work with Yacht Club officials to identify

alternative parking areas. This might include jitney service to outlying private lots, leasing of private lots, or construction of a new municipal lot.

The following standards shall be applied to any new parking lots having frontage on Main Street:

1. Views of the parking lot off Main Street shall be properly screened through vegetation, stone, wood, wrought iron fencing or berms.

2. Parking lots shall not exceed 3500 square feet in uninterrupted area. Landscaping shall be provided to break up the lot in any lots exceeding 3500 square feet.

3. Directional signage to the waterfront and, in particular waterfront parks, shall be provided within any public parking area west of Third Street.

4. All parking areas shall be paved with an asphaltic or concrete surface and properly drained.

The following guidelines will be used in determining the consistency of a proposed action with Policy 19.

1. The existing access from Water Street to Waterfront Park and Main Street to Constitution Park shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public streets to the two shoreline parks be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access, or unless such actions are found to be necessary or beneficial by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet systematic objectives.

2. The existing access to Constitution Park off Water Street shall be formalized through an easement or similar arrangement between the Village and private property interests having title to the unimproved road.

The following is an explanation of the terms used in the above guidelines:

a. Access - the ability and right of the public to reach and use public coastal lands and waters.

b. Public lands or facilities - lands or facilities held by State or Village in fee-simple or less-than-fee-simple ownership and to which the public has access or could have access.

Reduction in the existing level of public access includes, but is not limited to, the following:

(1) The number of parking spaces at the two shoreline parks is significantly reduced.

(2) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric

power transmission lines, or similar linear facilities. An example is difficult pedestrian crossings to waterfront parks across Main Street.

An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:

(1) Construction of public facilities (e.g. Major improvements to Main Street), which physically prevent the provision, except at great expense, of convenient public access to shoreline parks. This would include leasing the waterside area of Constitution Park, once developed, for the private boats.

(2) Construction of private facilities on the bluff opposite Hinman Street; or on the unimproved road leading to Constitution Park off Water Street physically prevents the provision of convenient public access to shoreline parks from Water Street and Main Street.

2. Any proposed project to increase public access to the shoreline parks shall be analyzed according to the following factors:

a. The level of access to be provided should be in accordance with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

3. The State will not undertake or fund any project which increases access to the shoreline parks if they are not open to all members of the public.

4. In their plans and programs for increasing public access to public water-related resources and facilities, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area boundary but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary and not served by public transportation.

POLICY 20 **ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY OWNED SHALL BE PROVIDED, AND IT SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.**

Explanation of Policy

Publicly-owned lands within the Village of Youngstown that are adjacent to the water's edge include Waterfront Park and Constitution Park. These lands, are devoted to public recreation uses and provide existing access to public lands and

waters. Lands lying under the waters of the Niagara River are owned by New York State.

Guidelines for reviewing any action for consistency with this policy are as follows:

1. See guideline #1,2,3 and 4 under Policy 19.

2. The existing level of public access within Waterfront Park and Constitution Park to the River shall not be reduced or eliminated.

3. Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development, except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources; (b) adequate access exists within one-half mile; or (c) agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

4. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area, but not served by public transportation; and outside the defined Urban Area boundary and not served by public transportation.

6. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:

   a. The level of access to be provided should be in accordance with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.

   b. The level of access to be provided shall not cause a degree of use which exceed the physical capability of the resource coastal lands. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

RECREATION POLICIES

POLICY 21 **WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER-RELATED USES ALONG THE COAST, PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE**

SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

POLICY 21A WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE GIVEN PRIORITY OVER NON-WATER RELATED USES IN THE WATER STREET/FERRY STREET AREA.

POLICY 21B NEW WATER-DEPENDENT AND WATER-ENHANCED RECREATION USES WILL BE PROVIDED AT CONSTITUTION PARK AND APPROPRIATE VILLAGE STREET ENDS WEST OF MAIN STREET, AND WATERFRONT PARK.

Explanation of Policy

Consistent with demand and the protection of Niagara River water quality, and bluff formations, water-related (i.e. water-dependent and water-enhanced) recreation uses shall have a higher priority than any non-water-related uses, including non-water-related recreation uses in the Water Street/Ferry Street area. In addition, water-dependent recreation uses shall have a higher priority than water-enhanced uses, including water-enhanced recreation uses. Determining a priority among water-dependent recreation uses and other water-dependent uses will require a case-by-case analysis.

Water-related recreation includes common, water-dependent activities such as boating, fishing, as well as certain activities which are enhanced by a location adjacent to the Niagara River.

Water-enhanced recreation activities include picnic areas, scenic overlooks, and passive recreation that takes advantage of waterfront scenery.

Such uses shall be provided as long as the development is:

1. Consistent with the preservation of water quality and bluff formations.
2. In response to a demand for such facilities.

These uses shall have a higher priority for maintenance and capital budgeting than non-water-dependent uses in Waterfront Park and Constitution Park. They will also have higher priority over water-enhanced recreation uses. Determining priority among water-dependent uses (e.g. boat launch improvements at Waterfront Park and dock improvements at Waterfront Park) will require a case-by-case analysis.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of the Water Street/Ferry Street area should be avoided as much as practicable.

Among the types of water-dependent recreation facilities, provision of adequate boating services to meet future demand is to be encouraged by the Village's program. The siting of boating facilities along the Niagara River must not be detrimental to the areas water quality.

Additional public water-dependent and water-enhanced recreation shall be provided at the base of the bluff within Constitution Park, at the Niagara Street end west of Main Street, and at Waterfront Park.

In the design and development of Constitution Park, the Village shall incorporate the development guidelines listed in Section IV.

See Policies 2 and 12.

POLICY 22 THE STATE COASTAL POLICY REGARDING THE PROVISION OF WATER-RELATED RECREATION, AS A MULTIPLE USE, FOR DEVELOPMENT LOCATED ADJACENT TO THE SHORE IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.

HISTORIC AND SCENIC RESOURCES POLICIES

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

POLICY 23A PROTECT ANY ARCHEOLOGICAL SITE WITHIN THE VILLAGE THAT HAS SIGNIFICANCE TO NEW YORK STATE, VILLAGE OF YOUNGSTOWN, OR THE NATION.

POLICY 23B ENHANCE AND PROTECT STRUCTURES AND SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, OR CULTURE OF THE VILLAGE.

Explanation of Policy

Among the most valuable of the State's and Village's man-made resources are those of historic significance. The protection of these resources must involve a recognition of their importance by all agencies. As described within the 'Environmental Condition' chapter of the Inventory and Analysis Section, identified local historic resources within the Village include the following State roadside markers; Salt Battery, Battle of LaBelle Family, and Fox Point Battery; numerous structures and sites (See Figure 17)of local significance; and a zone of archeological sensitivity.

The three State historic markers will be maintained in good repair, and their sites enhanced through landscape maintenance and in the area of the Salt Battery, enhance the marker by providing a scenic overlook at the end of Niagara Street The latter is located immediately adjacent to the marker.

Prior to undertaking any Type I or unlisted action as defined in 6 NYCRR, Part 617 of Article 8 of the State Environmental Conservation Law in the Village, anyone proposing such activity shall consult with the State Historic Preservation Office to determine whether significant archeological resources are present at the site and what measures are necessary to pre-service or avoid these cultural resources. All practicable means shall be used to preserve significant archaeological resources.

In the event the New York State Department of Parks, Recreation and Historic Preservation determines that all or some of those sites are of State or National significance then, prior to undertaking any Type I or unlisted actions (as defined

by SEQR) which might affect these sites, adequate protective measures shall be devised which would prevent or mitigate adverse impacts to those resources.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, or component thereof which has been officially certified as being imminently dangerous to life or public health.

As Figure 17 indicates, the Village has a rich historical past which is reflected in numerous structures and sites. In order to better determine the significance of these facilities, the Village will work with the New York State Office of Parks, Recreation, and Historic Preservation. The Village will seek outside funds to undertake a Historic Resources Survey and determine the feasibility of developing a local preservation ordinance. This will be done in cooperation with NYSOPRHP.

See Policies 1 and 25.

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

POLICY 25 **PROTECT, RESTORE, OR ENHANCE NATURAL AND MANMADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.**

POLICY 25A **PROTECT, RESTORE, OR ENHANCE SCENIC VISTAS AT WATERFRONT PARK, CONSTITUTION PARK, VILLAGE STREET ENDS WEST OF MAIN STREET, AND THE VISTAS ALONG MAIN STREET FROM THE SOUTH CORPORATE LIMIT TO THE VICINITY OF MARY'S LANE.**

Explanation of Policy

The location of the Village adjacent to the Lower Niagara River requires a commitment to ensure the visibility of the River to area residents. The River is a public resource whose scenic quality must be preserved and utilized.

The harbor activity, sunsets, and vistas of Niagara-On-The-Lake, Ontario and Fort Niagara State Park visible offshore from Youngstown have local significance.

The three vistas noted in Policy 25A can be described as follows:

1. Waterfront Park: Outstanding views of the lower Niagara River, including the offshore anchorage areas and Canadian shoreline. Views are observed at the shore line. Current detractions from this vista include a former Customs building on the site which blocks views toward Niagara-On-The-Lake, Ontario. The Village will move the structure.

2. Constitution Park: Panoramic views of the Youngstown Harbor, Fort George in Niagara-On-The-Lake, Ontario and tranquil lower Niagara River as framed by steep embankments along the Canadian shoreline.

3. Village Street Ends West of Main Street: Panoramic views of Canadian shoreline, lower Niagara River, and boating activity. Views are currently blocked due to dense foliage. The Niagara Street end view is currently limited because of distance between road and bluff edge. This is a problem since there is no public viewing access at the edge for pedestrians.

4. Vistas Along Main Street From the South Corporate Limit to Approximately Mary's Lane: Panoramic views of the lower Niagara River as framed by steep 60 foot embankments along the Canadian shoreline. View reflects natural, pristine character with little development intrusion.

The following siting and facility-related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly. Guidelines include:

1. Siting structures and other development such as power lines and signs, back from the shoreline or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore.

2. Maintaining and selectively clearing vegetation at the Village Street ends and Constitution Park to provide vista opportunities off Main Street.

3. Removing dangerous and unsafe elements.

4. The following standards shall be used to ensure that buildings, landscaping, and other improvements are compatible with the scenic view off Waterfront Park and the top of the bluff at Constitution Park.

   a. Building heights within the Water Street/Ferry Street area shall be limited to thirty (30) feet.

   b. Billboards, ground signs, roof signs, projecting and single standard signs are prohibited within the Water Street/Ferry Street area.

   c. Neon signs and any other signs displaying flashing or visible moving elements are prohibited within the Water Street/Ferry Street area.

   d. Uses within the Water Street/Ferry Street area shall be limited to docks, buoys, boat launches, lifts, bulkheads, flood and erosion protection structures, public recreation, enclosed storage structures, and have a maximum height of 12 feet and 100 square feet or less of usable floor space.

      Uses within the Water Street/Ferry Street area requiring a special permit shall include marine service, private boat houses, yacht clubs, marinas, boat storage buildings, and accessory facilities.

   e. Views of parking lots and outdoor boat storage areas on adjacent lots shall be properly screened with landscaping, wood or wrought iron fencing, or berms.

f. Within Constitution Park and Waterfront Park, public bodies shall ensure that any future landscaping, erection of new signs, buildings, or other structures thereon shall not significantly obstruct the scenic views.

g. Any construction or land improvement within the Water Street/Ferry Street area on the bluff next to Constitution Park shall be done in a manner which causes minimal obstruction to the scenic views.

5. The following standards shall be used to ensure that buildings, landscaping and other improvements are compatible with the scenic views off the Village street ends west of Main Street and west of Main Street in the area between the south corporate line and Mary's Lane.

a. Construction on the bluff will be limited to stairways, erosion protection structures, small storage sheds, walkways.

b. Public bodies shall ensure that any future landscaping, erection of new signs, buildings, or other structures thereon shall not significantly obstruct the scenic views.

6. The following standards shall be used to ensure that buildings, landscaping, and other land improvements are compatible with the scenic views off the Niagara Street end.

a. Public bodies shall ensure that any future landscaping, erection of new signs, buildings, or other structures thereon shall not significantly obstruct the scenic views.

b. Any construction or land improvement within adjacent lots on the bluff next to the Niagara Street end shall be done in a manner which causes minimal obstruction to the scenic view.

See Policies 1, 2, 19, 20, and 23.

AGRICULTURAL LANDS POLICY

POLICY 26 **THE STATE COASTAL POLICY REGARDING THE CONSERVATION OF AGRICULTURAL LANDS IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

POLICY 27 **THE STATE COASTAL POLICY REGARDING THE SITING OF MAJOR ENERGY FACILITIES IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

ENERGY AND ICE MANAGEMENT POLICY

POLICY 28 **THE STATE COASTAL POLICY REGARDING ICE MANAGEMENT PRACTICES IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

POLICY 29 **THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF ENERGY RESOURCES ON THE OUTER CONTINENTAL SHELF IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

WATER AND AIR RESOURCES POLICY

POLICY 30 **MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS INCLUDING, BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.**

Explanation of Policy

Municipal, industrial and commercial discharges include not only "end of the pipe" discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through municipal treatment systems before reaching the Village's waterways.

POLICY 31 **STATE COASTAL AREA POLICIES AND PURPOSES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.**

Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters 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 reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State coastal management policies shall be factored into the review process for coastal waters. However, such consideration shall not affect any water pollution control requirement establishment by the State pursuant to the Federal Clean Water Act.

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

POLICY 33 **BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.**

POLICY 33A **BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF DRAINING INTO THE NIAGARA RIVER.**

POLICY 33B **DEVELOP A COMPREHENSIVE STORM DRAINAGE PLAN FOR THE VILLAGE OF YOUNGSTOWN.**

POLICY 33C **MAINTAIN AND UPGRADE EXISTING DRAINAGE DITCHES IN THE VILLAGE, PARTICULARLY ALONG THE ROBERT MOSES PARKWAY, AND IN THE BONWYN AND CARROLLWOOD NEIGHBORHOODS.**

Explanation of Policy

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of storm water runoff. These include: a) structural methods of storm sewers along the waterfront to discourage overland flow that could erode the steep slopes, and retention basins as part of any new development north of Carrollwood and east of Elm Streets, b) non-structural: pursue inflow and infiltration programs to prohibit storm water flow into the wastewater sewer system and encourage natural percolation in drainage ditches, landscaping, and other measures as alternatives to structural methods. This is especially important in those areas noted in Policy 33.

The Village will also undertake a comprehensive storm drainage plan. This recognizes the flat nature of Village land, current problems relative to standing water, drainage ditch overflows, and storm drainage infiltration to the sewer system. A plan will help evaluate solutions to those problems.

POLICY 34 **DISCHARGE OF WASTE MATERIALS INTO COASTAL WATERS FROM VESSELS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.**

POLICY 34A **REQUIRE PUMP-OUT FACILITIES AT PUBLIC AND PRIVATE MARINAS.**

Explanation of Policy

The discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated. Specific effluent standards for marine toilets have been promulgated by the Department of Environmental Conservation (6 NYCRR, Part 657). To further discourage the discharge of vessel waste materials into the marinas, Niagara River pump-out facilities will be required at marinas.

POLICY 35 **THE STATE COASTAL POLICY REGARDING DREDGING IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

POLICY 36 **ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS: ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES: AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.**

Explanation of Policy

See Policy 39 for definition of hazardous materials. All activities within the Village of Youngstown which are subject to this policy shall comply with all State and Federal regulations.

POLICY 37 BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS, AND ERODED SOILS INTO COASTAL WATERS.

Explanation of Policy

Best management practices used to reduce these sources of pollution include, but are not limited to, drainage control techniques and street cleaning programs. See the explanation to Policy 12, 17, and 33A.

New development along the Niagara River bluff could increase erosion unless proper land use controls and construction standards are incorporated into final design. The following standards shall apply to the bluff:

1. Any new construction with the exception of stairways, erosion control structures, and small (75 square feet or less) storage sheds are prohibited on the bluff, as defined by the Village Zoning Ordinance, between the south corporate limit and the southern intersection of Water Street and Main Street.

2. In all areas of the bluff the following standards shall apply during construction:

    a. Natural vegetation and topography shall be retained to the maximum extent possible in order to stabilize soils, and reduce the volume of stormwater flow.

    b. Development shall consider the load bearing capacity of the soil. Unless it can be demonstrated that the soils can be stabilized with a minimum of on site disturbance and no adverse impacts to the stability of neighboring properties, the development proposal shall not be approved as submitted.

    c. Development shall preserve salient natural features of a site, minimizing grading and cut and fill operations, ensure conformity with natural topography, and retain natural vegetation and trees to the maximum extent practicable in order to create the least erosion potential and handle adequately the volume and rate of velocity of surface water runoff.

    d. Natural drainage patterns shall be protected and incorporated into site design.

    e. Site preparation, including stripping of vegetative cover and grading, shall be undertaken so that no individual building site is stripped of its vegetation cover more than thirty (30) days prior to commencement of construction.

f. Disturbed soils shall be stabilized and revegetated or seeded as soon as practicable.

g. In no case shall stormwater be diverted to another property either during site preparation or after development.

h. The amount and velocity of runoff from a site after development shall approximate its pre-development characteristics.

POLICY 38 **THE STATE COASTAL POLICY REGARDING THE PROTECTION OF GROUND WATER SUPPLIES IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.**

POLICY 39 **THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT SURFACE WATER SUPPLY, RECREATION AREAS, AND SCENIC RESOURCES.**

POLICY 39A **THE STORAGE, TREATMENT, AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES SHALL BE PROHIBITED WITHIN THE VILLAGE.**

POLICY 39B **THE SHIPMENT OF HAZARDOUS WASTES THROUGH THE VILLAGE SHALL BE PROHIBITED.**

Explanation of Policy

The definition of terms "solid wastes" and "solid waste management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludges from air or water pollution control facilities, demolition and construction debris, and industrial and commercial wastes. The term "hazardous waste" is defined under Policy 8. Hazardous wastes include unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic.

No storage, treatment, or disposal of solid wastes is permitted in the Village of Youngstown waterfront area. Any transportation of solid wastes, with the exception of hazardous wastes, in the waterfront must comply with State and Federal regulations and ensure the protection of the Village's coastal resources. Transportation of hazardous wastes is prohibited within the Village.

POLICY 40 **EFFLUENT DISCHARGE FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.**

Explanation of why Policy is not Applicable

The Village's Local Waterfront Revitalization Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State Laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the coastal area.

To the extent possible, the State Implementation Plan will be consistent with the lands and water use policies of this LWRP. Conversely, program decisions with regard to land and water use and any recommendations with regard to specific sites for major new or expanded industrial, energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

POLICY 41 LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CUASE NATIONAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.

Explanation of Policy

The Village's Local Waterfront Revitalization Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State Laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the coastal area.

To the extent possible, the State Implementation Plan will be consistent with the lands and water use policies of this LWRP. Conversely, program decisions with regard to land and water use and any recommendations with regard to specific sites for major new or expanded industrial, energy transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

POLICY 42 COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREA PURSUANT TO THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS OF THE FEDERAL CLEAN AIR ACT.

Explanation of Policy

The policies of the State and the Village's Local Waterfront Revitalization Program concerning proposed land and water uses will be taken into account prior to any action to change prevention of significant deterioration land classifications in the coastal area or adjacent area.

In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration and classification designations based upon State and local coastal management programs.

POLICY 43 THE STATE COASTAL POLICY REGARDING THE GENERATION OF ACID RAIN PRECURSORS IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.

POLICY 44 THE STATE COASTAL POLICY REGARDING THE PRESERVATION OF WETLANDS IS NOT APPLICABLE TO THE VILLAGE OF YOUNGSTOWN.

SECTION IV

PROPOSED USES AND PROJECTS

A. INTRODUCTION

The proposed land uses for the Village are intended to translate the policies contained in Section III into a cohesive physical plan. The time period for implementation is ten years (i.e. Year 2000); however, some of the proposals can be carried out immediately.

It should be stressed that the uses and projects have been developed as a means of implementing the waterfront policies. The formulation of the proposed uses is a result of a process that blends the policy statements with an evaluation of the development constraints and potential of particular areas. Potentials and constraints are determined by numerous factors, including environmental considerations, physical barriers to development, adjacent land use patterns, market demand, and available public financial assistance.

B. COMPREHENSIVE PLAN MODIFICATION

The contents of this Section (Proposed Uses and Projects) and Section V (Techniques for Local Implementation of the Program) represent the key components of the new Master Plan for the Village through the Year 2000. The proposed land uses illustrated in Figure 26, and the Implementation Blueprint outlined in Figure 27 provide a sound road map for Village development and enhancement over the next ten years. In essence, the entire LWRP represents a master plan and, for the entire Village replaces the 1972 Plan as the official plan for the Village of Youngstown.

C. PROPOSED LAND USES AND PROJECTS

The following narrative provides a general description of proposed land uses for the entire Village. As mentioned above, given market conditions and the phasing of public improvements, full achievement of the recommendations is not likely to occur until the Year 2000. Reference should be made to Figure 25 for graphic description of the short and long term proposals, and to Figure 26 for a generalized comprehensive land use plan for the Village.

For clarity, the land use narrative is divided between these areas: 1) Village Center 2) Water Street/Ferry Street 3) North Shoreline 4) South Shoreline, and 5) Outlying Areas. These are graphically outlined on Figure 25A.

1. Village Center: The Village Center, which is bounded on the west by the rear property lines of uses on the west side of Main Street, Hinman Street on the south, Third Street to the east, and William Street to the north will continue as the commercial and municipal center of the Village. Residential uses are to be encouraged above commercial uses wherever appropriate. High density housing should also continue at certain locations within the Village Center. The proper mixing of residential and commercial uses can create continuous activity within the area and reinforce it as the Village Center.

   Another important recommendation for this area is the encouragement of uses which are enhanced by a waterfront location to locate on the west side of Main Street. This recognizes the limited commercial land which is available for those types of uses that can better profit from a location close to the water. In addition, since Main Street provides a direct vehicle and

pedestrian link to Fort Niagara State Park, it is important that land be available for retail uses which would benefit by the street traffic generated by the Park. Although such traffic is currently limited, full implementation of the LWRP would result in some modest increases in people using Main Street.

The types of water-enhanced uses recommended for the area include restaurants, fish and boat supply stores, specialty/boutique establishments, residential or professional office uses located above the first floor, overnight lodging accommodations, and water- enhanced recreation (e.g. passive parks/rest areas).

A further goal of the Village's Local Water Revitalization Program is to improve the physical appearance of the Village Center. Such improvements in combination with other program recommendations relative to tourism promotion (see Section V) will aid in attracting a modest increase in commercial traffic. The Village should undertake a commercial building facade improvement program and investigate the feasibility of a public promenade along Main Street leading from Hinman Street all the way to the Fort Niagara State Park entrance. This would include a coordinated system of street planters, lighting fixtures, benches, trash receptacles, and possibly sidewalk pavers. It would also include burying the overhead utility poles along Main Street.

Although parking is not currently a major problem, except during peak summer weekends or major events sponsored by the Youngstown Yacht Club, it is likely that demand for parking space will gradually increase. This will be especially true if the Yacht Club eliminates their parking facility in the Water Street/Ferry Street area. Any additional parking should be located in the eastern areas of the Village Center. Locations where such parking are appropriate include three existing private lots adjacent to the B-Kwik Food Store, Marine Midland Bank and St. Bernard Catholic Church. These lots contain over 100 spaces and are often vacant. Although the lots may have to be leased, it is a sound alternative to building a new municipal lot.

The only land within the Village Center which could accommodate new public parking is the vacant .50 acre parcel at the northeast corner of Main and Hinman Streets. This parcel is much more valuable for future commercial uses, especially if the demand for Village retail space experiences a modest increase.

The .75 acre parcel occupied by the Department of Public Works adjacent to Falkner Park could be utilized for 50-60 public parking spaces if the DPW facilities were relocated to an outlying section of the Village. This would permit the elimination of parking on parcels along Main Street and provide new parking space for Falkner Park, while opening on-street parking along Main Street for Constitution Park.

Due to the high cost of relocating the DPW facilities, it should only be pursued if the use of outlying lots proves unworkable.

It is also suggested that the Village explore the placement of ten parking spaces along the south property line within Falkner Park. Such spaces would serve both Constitution and Falkner Parks. It would require,

however, relocating and/or eliminating some of the playground equipment in order to accommodate the new use. Such new parking will be needed once Constitution Park is fully developed and Village residents begin seeking parking spaces close to the gazebo area. The only alternative is parking next to the bluff, adjacent to the gazebo. However, this would dominate the small area currently available for public enjoyment and detract from the scenic quality of the site. Figure 27 illustrates this concept.

A further land use proposal for the Village Center area pertains to public access. It is important to decrease pedestrian traffic walking along Water Street to reach either the Waterfront Park or Yacht Club. In addition, the lack of parking space off Water Street suggests that a public stairway, utilizing and adjacent to the existing Village utility right-of-way, is appropriate. This would directly link Waterfront Park with the municipal parking lot on Hinman Street and improve the Park's accessibility to Village residents. In addition, should Yacht Club parking become more limited in the Water Street/Ferry Street area, the stairway would service Yacht Club patrons, boaters, and fishermen, as well. The Village has already obtained easement rights for such a stairway from the Yacht Club.

Finally, a public stairway would permit eliminating six parking spaces at Waterfront Park allowing their conversion (200 square feet) into park land.

In order to better link Constitution Park with Falkner Park, consideration was given to closing Main Street for 200 feet (See Figure 28). This would result in the physical linkage of the two parks but also create two cul-de-sacs, require some property acquisition to allow proper turn around space, eliminate the improved vehicle linkage with Fort Niagara State Park promoted by the promenade concept, and add a new 1,600 foot public right-of- way to the Village street system. The Niagara County Department of Public Works has indicated that the County would likely require the Village to take over the section of Main Street from the State Park to Falkner Park if the above proposal were pursued.

Given the above negative impacts of such a proposal, it is not recommended in the short term. It is suggested, however, that pavement markings and cautionary signs be placed on Main Street to better allow pedestrian crossing. During major events when public use of the two parks is at a peak, the Village should consider periodically cordoning off Main Street to through traffic, which would help improve pedestrian flow. Should use of Constitution Park be limited over the next few years, even after the land is fully developed, the Village should consider alternative design schemes which would link the two public areas.

2. <u>Water Street/Ferry Street</u>: The Water Street/Ferry Street area includes the most active shoreline uses in the Village, as well as two public waterfront parks.

Constitution Park, located at the north end of this area, represents a primary opportunity for enhancing public access to the River edge and opening a significant scenic vista. If the land is designed sensitively, the Park will serve as a Village landmark to non-residents in the same manner that the Yacht Club currently does.

The critical task facing the Village is to undergo a comprehensive urban design process prior to developing the waterside and upland areas. Issues which must be addressed include:

- The feasibility of terracing the slope to provide a series of viewing points from the gazebo down to the waterside area.
- Proper placement of pedestrian access (trail or stairway) from the gazebo to the base of the bluff.
- Access for the elderly, and disabled, as well as for emergency and maintenance vehicles to the waterside area.
- Provision of new parking in Falkner Park.
- Reuse of the low-level building in the waterside area to accommodate restrooms and possibly serves as a local fishing museum. The latter would exhibit historical information concerning the nature of the Lower River fishery and possibly other material concerning the history of the Village as a waterfront community.
- Utility connections.
- Demolition of the residential structure at the lower section of the bluff. This would only be done if the structure is deemed to have no national or State historic significance. Should such significance be revealed, then alternative means of preserving the structure will be explored.
- Proper placement of water- dependent recreation uses; such as fishing access points, transient boat tie ups, and scenic viewing areas.

The area immediately south of Constitution Park is in private ownership. Certain overflow uses from the Yacht Club activities, such as parking and boat storage, do occupy the parcel. Such uses should continue, but be laid out in an attractive design to better transition the Park activities from the more active uses occurring at the Yacht Club.

The area immediately south of the parcel mentioned in the previous paragraph is owned by the Youngstown Yacht Club and has a concessionaire agreement with RCR Yachts, Inc. It is primarily used for Yacht Club parking, boat servicing and storage. During the winter months, the land is used to store many of the boats moored in the River during the summer season. Limited vehicle access into the parking areas and Village land should be maintained.

Proposed uses in this area include a gradual phasing out of some Yacht Club parking spaces and a conversion to more water-dependent or enhanced recreation uses (e.g. picnic areas, pool within existing slip). The actual type of recreation use is subject to the long term needs of the Yacht Club.

The existing access off Water Street leading to Constitution Park is narrow, unimproved and creates safety problems for vehicles turning right off Water Street onto the right-of-way. It is recommended that the existing road be widened slightly to better accommodate two way traffic and emergency, as well as maintenance vehicles which will need access to the public park. The owner of the road should be encouraged to pave the road in order to provide better driving conditions during wet weather and the winter season. Discussions should occur with the Yacht Club to determine if an arrangement could be made to improve the road and provide a stairway from the Hinman Street parking lot to Water Street.

Cradle storage of boats is a by-product of a marine yard operation. RCR Yachts is conscious of their poor appearance but, due to the high cost and problem of locating a suitable off-site storage area, it is not cost effective to move the wooden storage frames. The Village, through Constitution Park design and implementation of the proposed Waterfront District Zoning regulations, should promote the proper screening of this area from the public viewing sites off Constitution Park and from the harbor itself.

The remaining land in the Water Street/Ferry Street area is proposed for continued water-dependent recreation type uses with some supportive commercial uses, as well. The latter includes small marine supply services, Yacht Club restaurant, etc. The former U.S. Customs building at the Village's Waterfront Park should be removed in order to better utilize park land. As mentioned in the Inventory and Analysis Section, the location of the building effectively blocks 35% of usable park space. The building's removal would permit installation of additional picnic tables, benches, etc.

3. <u>North Shoreline:</u> Proposed uses continue the existing residential pattern with a mix of single family and multi-family housing.

The public promenade leading from the Village Center to the Fort Niagara State Park entrance would continue through this area. Finally, the Niagara Street end is located off Main Street and offers a good vista of the harbor and Niagara-On-The-Lake, Ontario. It is recommended that the Village acquire the necessary property rights to this 7,000 square foot parcel and provide public benches for viewing the Lower River area. In addition, detailed historic plaques explaining the Salt Battery and its role in the history of Youngstown could be placed more prominently within the street end than the existing roadside marker.

4. <u>South Shoreline:</u> Proposed land uses include a continuation of the existing single family residential pattern with forest/brushland continuing along the bluff and in the southeast section.

The Front, Elliott, and Campbell Street ends should remain vacant. However, the Village should periodically trim and selectively cut the vegetation growing up from the bluff to open the vistas for motorists and pedestrians walking along Main Street.

5. <u>Outlying Area:</u> As was noted in the Inventory and Analysis Section, the Village will experience minor population growth through the Year 2000. The 200 additional residents will create a demand for approximately 86 new housing units occupying about 20 acres.

In order to accommodate new residential growth, the LWRP proposes that the Village promote the conversion of certain vacant land parcels to single-family residential and multi-family residential uses. This will permit a proper mixing of residential types which will be required given the declining household size in the Village and the current trend toward smaller housing units. The latter has been experienced throughout the region due to a rising elderly population, single person households, etc.

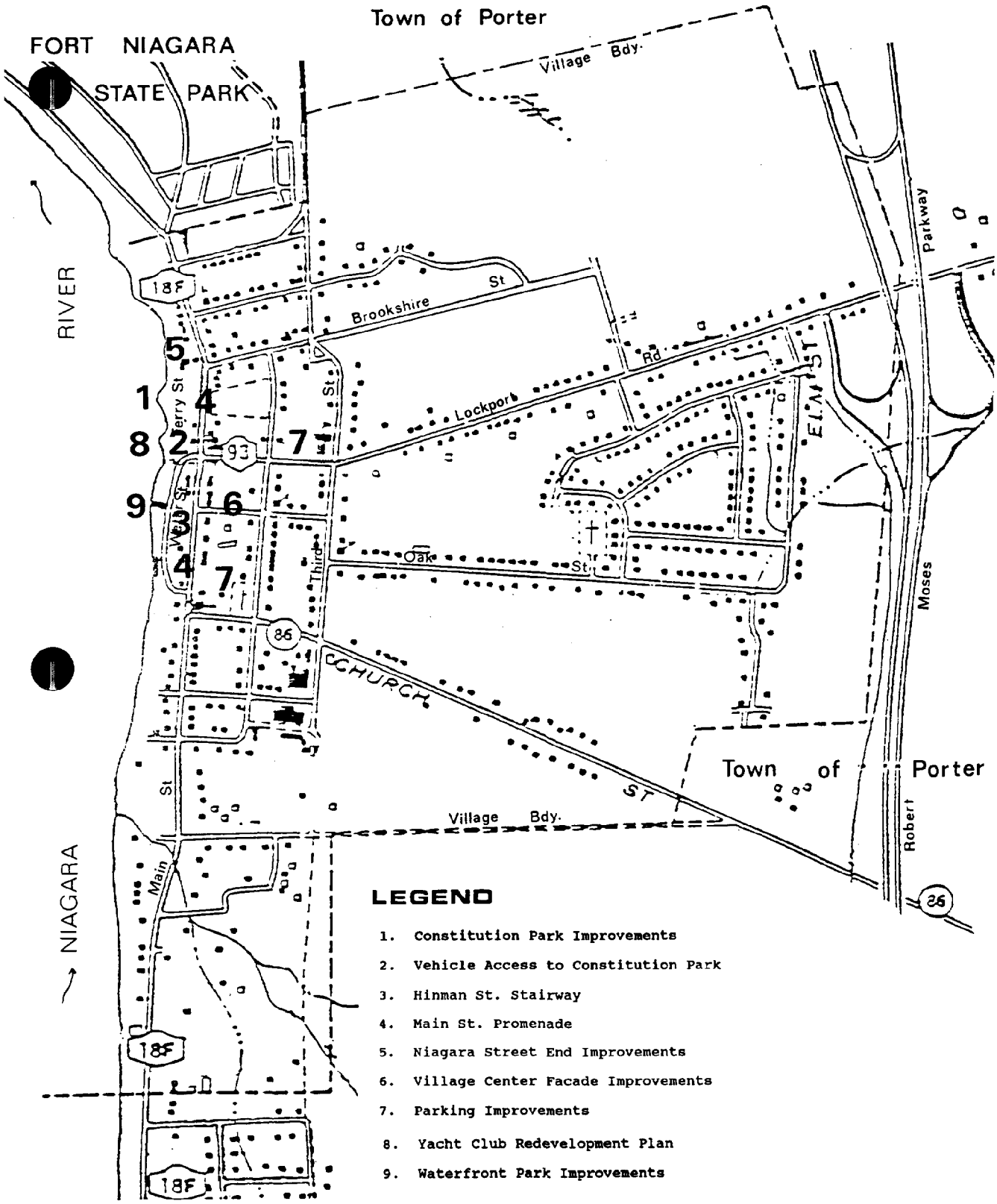
The following summarizes those areas where new residential growth should be channeled.

a. Multi-family housing is proposed for ten acres in the north-central area, off Lake Street and adjacent to the Youngstown Village Square complex. This will concentrate new townhouse or garden apartment development in this section. The area is well buffered from single family neighborhoods due to the open fields on the north and east, Fort Niagara State Park on the west, and the existing multi-family development to the south.

b. Residential uses should be encouraged in the large, vacant parcels located between Brookshier and Lockport Streets, Lockport and Oak Streets, and Oak and Church Streets. These parcels total 44 acres. The primary housing type proposed is single family residential with some multi-family housing recommended north of Oak Street.

It should be noted that the proposed land use plan (see Figure 26) results in changing 54 acres of forest/brushland to a residential category. This is 34 acres more than is currently projected as needed within the Village to the Year 2000. In order to satisfy the housing needs of the Village at reasonable prices, it is important to have an excess supply of new residential areas identified within Village planning documents. This insures that real estate prices do not escalate, as they might if only a limited supply of land were available to accommodate new housing construction. Thus, 54 acres of land proposed for new residential growth is appropriate for Village planning purposes.

Finally, the vacant parcels proposed for new residential growth are located primarily in interior blocks. There development will promote a policy of infill, and thereby avoid costly sprawl development in outlying areas, creating a more concentrated Village Center, and discouraging construction on these lands next to the Robert Moses Parkway interchange with Lockport Street. The latter would encourage residents to leave the Village for Lewiston whenever any convenient shopping or other services are needed.

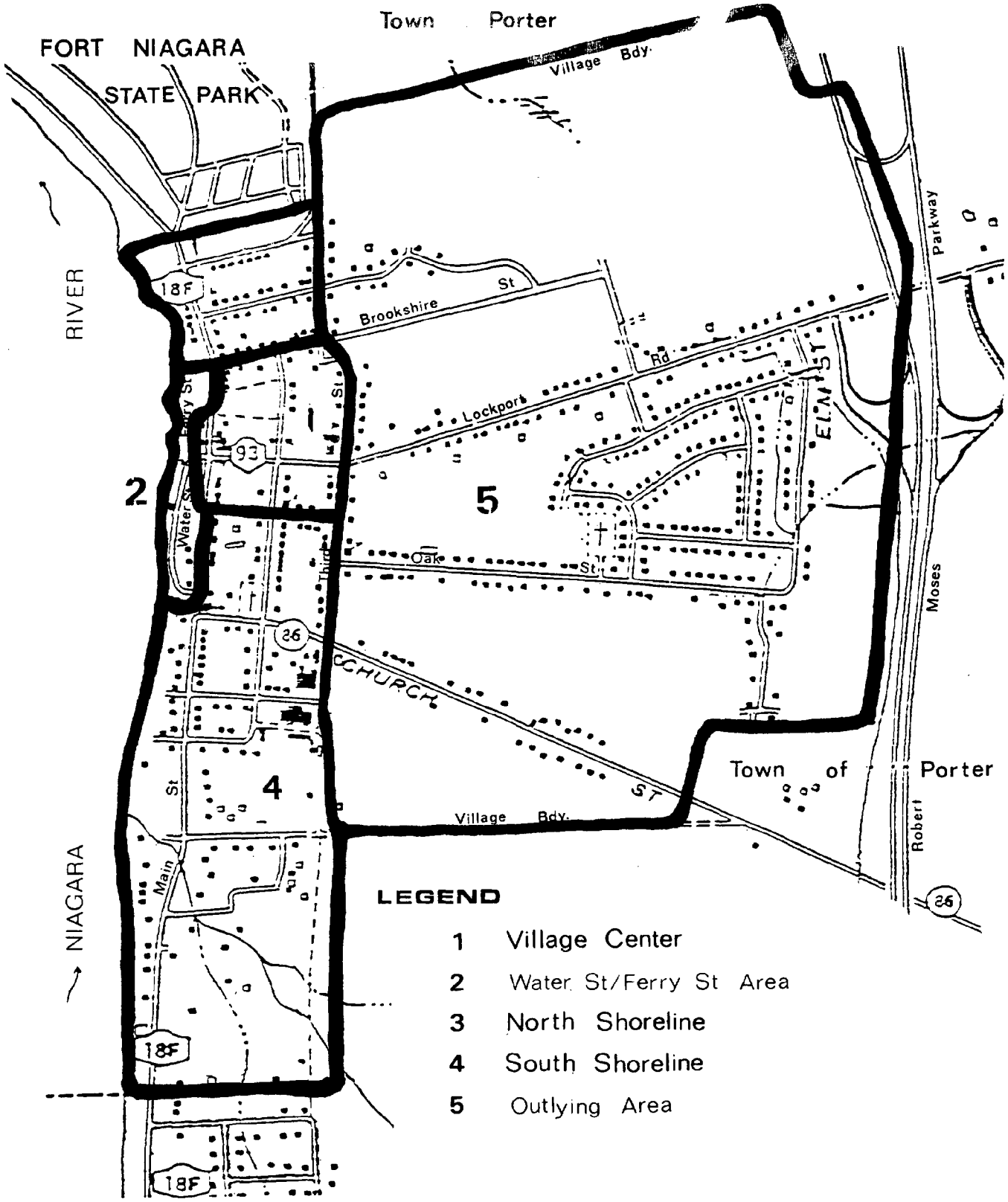


Village of Youngstown

Local Waterfront Revitalization Program

Figure 25: PROPOSED LAND USE PROJECTS

Planning Consultant: Thomas J. Dearing

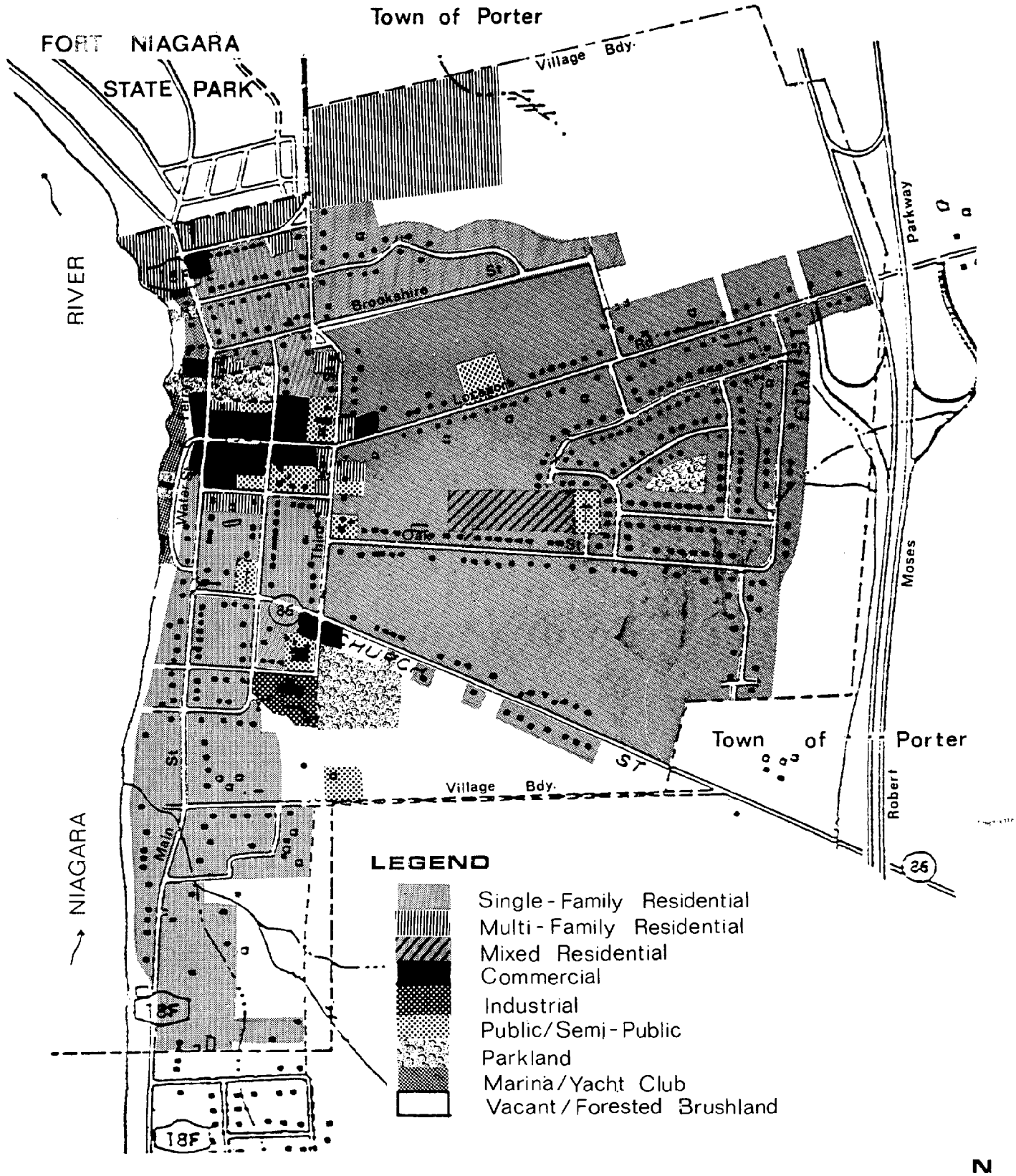


Village of Youngstown

Local Waterfront Revitalization Program

Figure 25a: PLANNING AREAS

Planning Consultant: Thomas J. Dearing

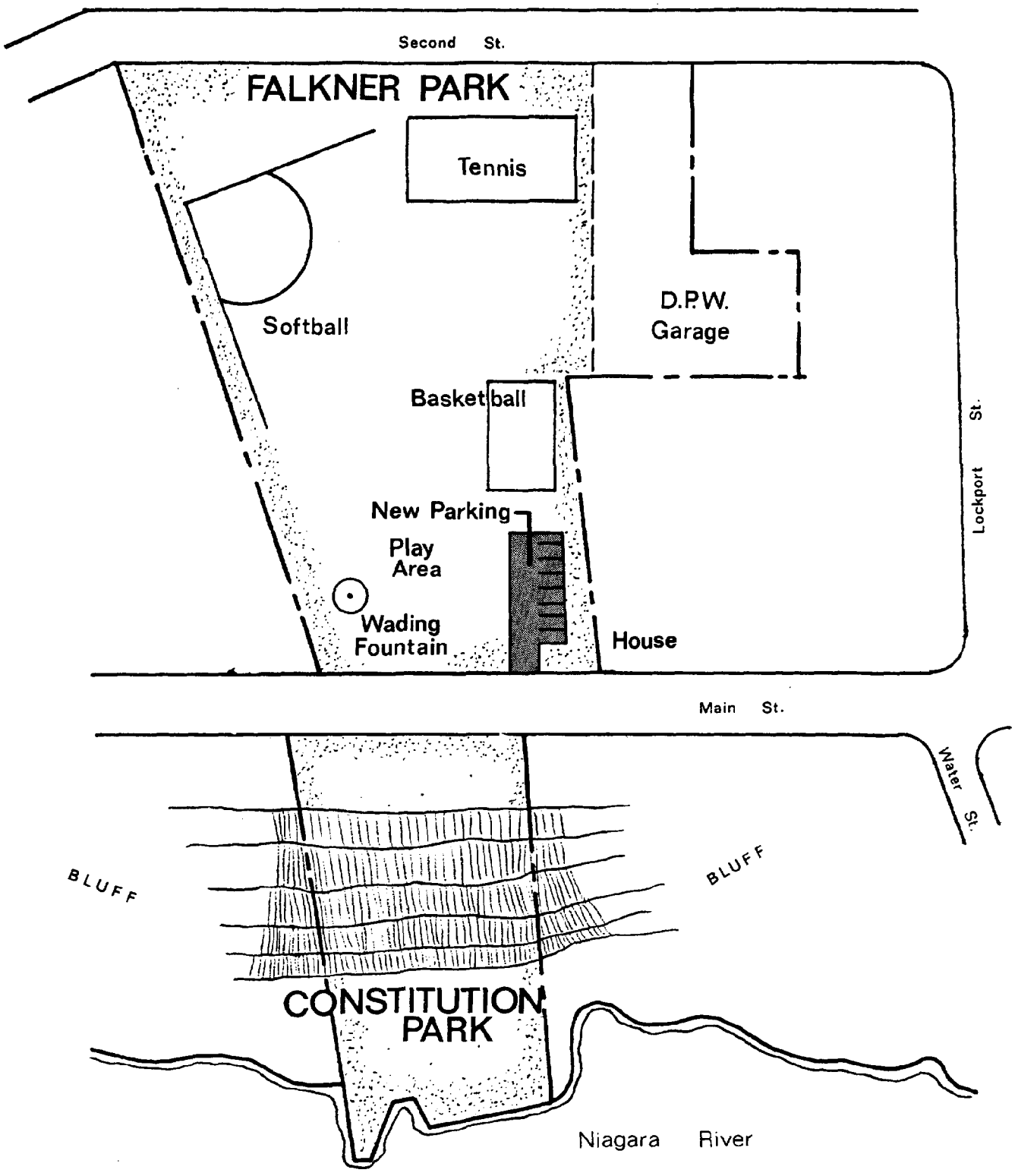


Village of Youngstown

Local Waterfront Revitalization Program

Figure 26: PROPOSED LAND USES

Planning Consultant: Thomas J. Dearing



Village of Youngstown

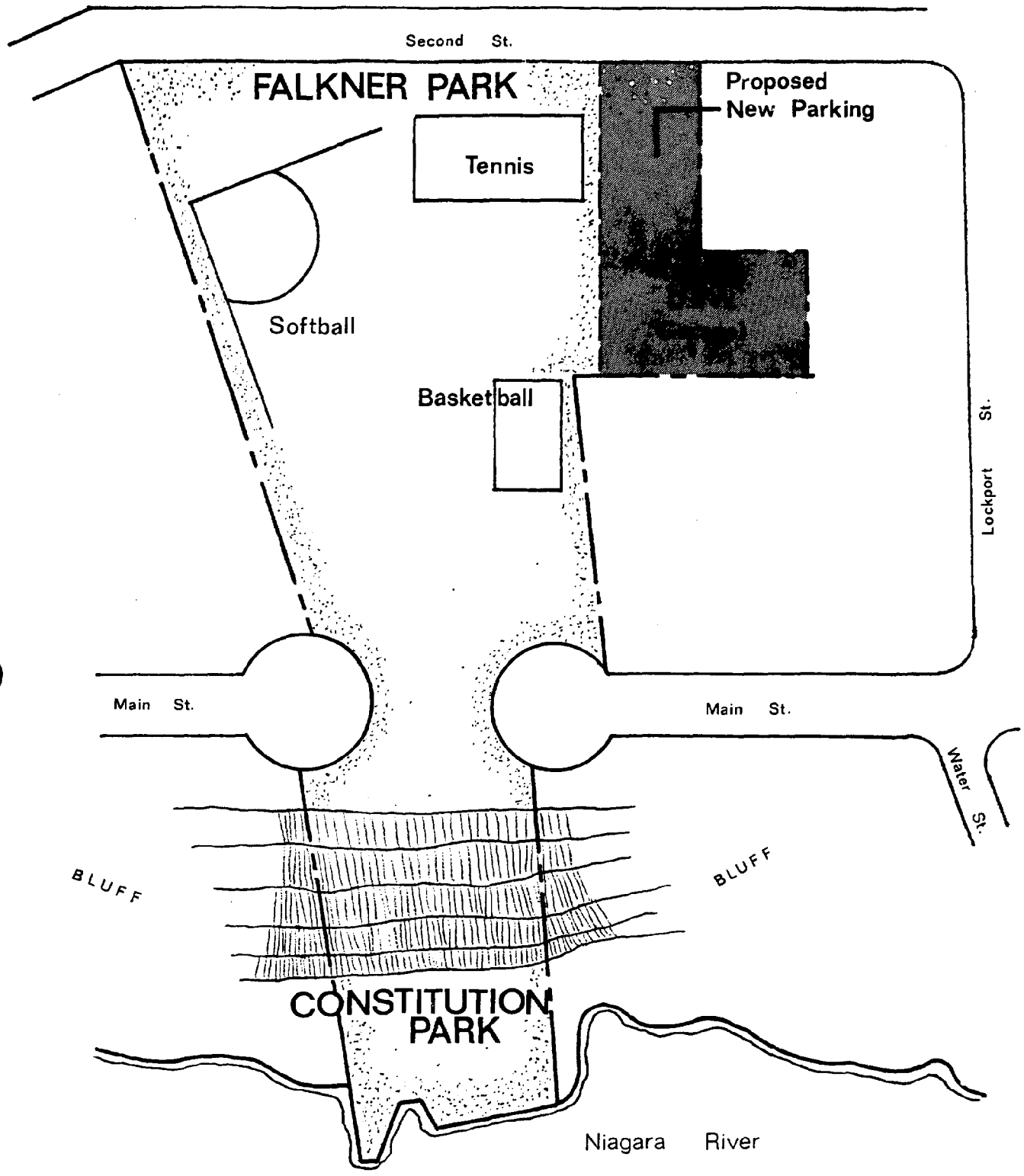
Local Waterfront Revitalization Program

Figure 27: FALKNER PARK OFF-STREET PARKING

Planning Consultant: Thomas J. Dearing

N

0 100'



Village of Youngstown

Local Waterfront Revitalization Program

Figure 28: PARK LINKAGE CONCEPT

Planning Consultant: Thomas J. Dearing

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0 100

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

A. LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

The Village of Youngstown has several mechanisms to implement the LWRP. The following paragraphs describe existing and proposed techniques which will be used to further implementation of the waterfront policies.

1. Existing Local Laws and Regulations

a. Building Code (Adopted as amended 12/4/57)

The purpose of this code is to ensure that all new structures or major alterations to existing structures are constructed in a sound manner and comply with generally accepted design standards. The code requires a permit prior to new or substantial alterations to existing structures.

The code implements the following policy:

(i) Policy 1 Re: Revitalization of Main Street/Lockport Street Area.

Policy 2 Re: Water Dependent Uses in the Ferry Street/Water Street Area.

Section 3a (3) of the Building Code requires a permit for signs, enclosed buildings, and building alterations exceeding 25% of the structures value. This will allow the building inspector to review applications in light of these guidelines pertaining to signs, facades, building height, usable floor space, use, and fuel storage facilities.

(ii) Policy 11 Re: Flood Hazard Areas.

Section 3a (3) of the Building Code requires permits for virtually all construction. This will insure that structures in designated flood hazard areas are consistent with the provisions of policy 11.

(iii) Policy 12A Re: Bluff Protection and Policy 37 Re: Storm Drainage.

Section 3a (3) of the Building Code allows the Building Inspector to examine proposed structures on the bluff to insure that those guidelines in Polices 12A and 37 and reinforced in the Village Zoning Ordinance are properly adhered to.

(iv) Policy 14 Re: Construction of Structures

Section 3(a) (3)(d) of the Building Code specifically indicates that retaining walls require permit, as well as all other construction activity. This will provide a local inspection of construction work and insure that the construction technique, design and location are appropriate for a waterfront area, and

is done in a manner which ensures no measurable increase in erosion or flooding.

(v) Policy 25 Re: Scenic Vistas

Section 3a (3) requires most construction in proximity to the Village's scenic vistas to obtain a permit. In issuing such permits the Building Inspector will insure that those guidelines noted in Policy 25 are adhered.

b. Chapter VIII-A of Village Code Book-Local Law Entitled "Removal and Repair of Dangerous or Unsafe Buildings" 12/3/59-Adoption) This law gives the Village authority to remove or repair buildings which become unsafe or dangerous to the public.

The law aids in implementing the following policies:

(i) Policy 1 Re: Revitalize the Main Street/Lockport Street area.

The law provides a procedure to address conditions which would hamper Village plans to create an attractive promenade and otherwise improve the marketability of the Main Street/Lockport Street area.

(ii) Policy 25 Re: Protecting Scenic Resources

Since dangerous structures often detract from the visual environment, this local authority can play a direct role in carrying out the above policies.

c. Chapter XIX - of Village Code Book - Local Law Entitled "Removal of Fire and Health Hazards and Weeds (8/20/65- Adoption)

The law is similar to the provision noted above, however it focuses on unsafe outdoor conditions.

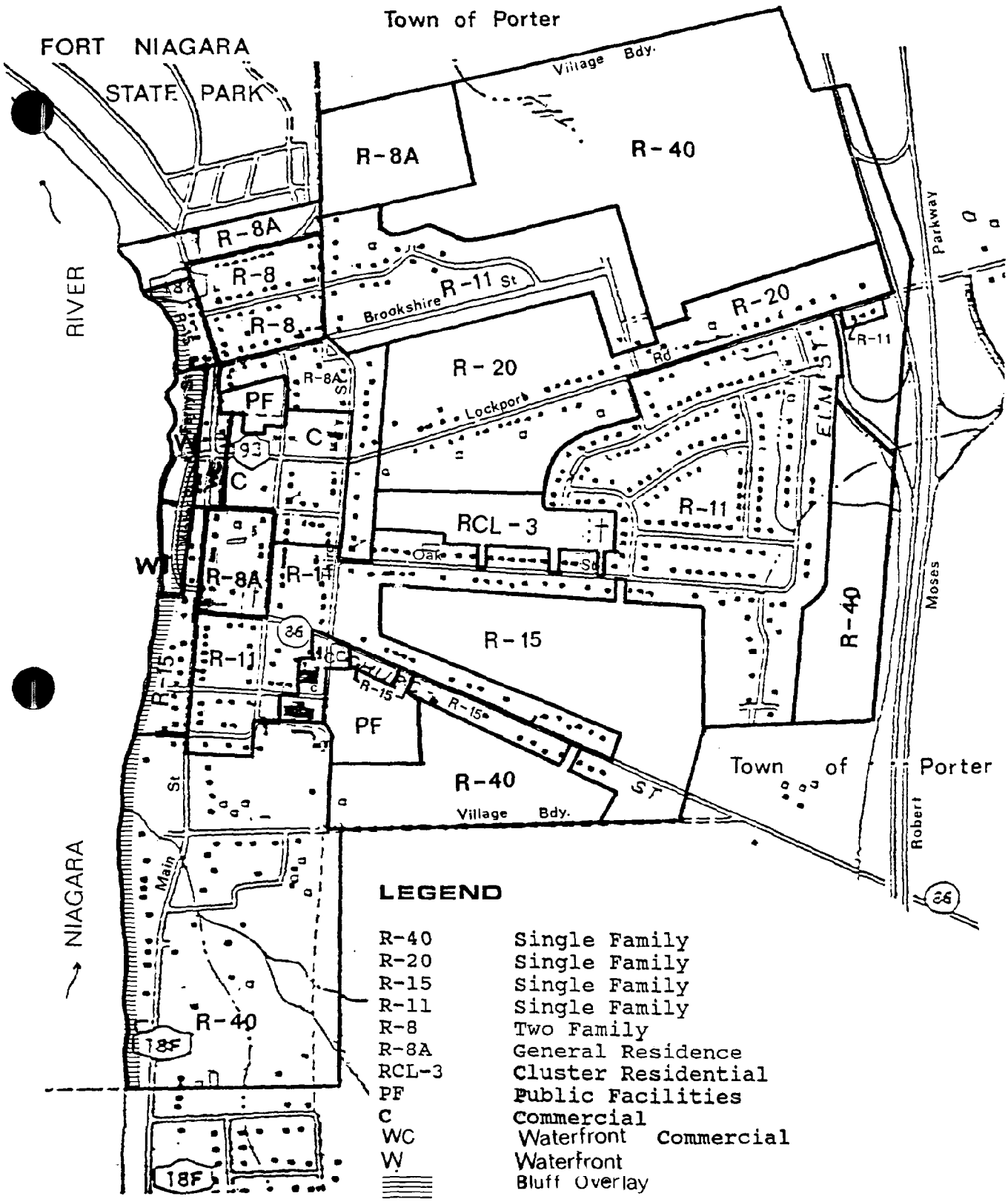
The law aids in implementing policy 25 for those reasons previously noted.

d. Chapter VI of Village Code Book - Local Law Entitled "Zoning Ordinance" (Adopted as amended 1986). The ordinance regulates the type, location, size and bulk of land uses within the Village.

The ordinance aids in implementing the following policies.

(i) The Water Street/Ferry Street area is classified as a Waterfront District. The Waterfront Commercial 1 and 2 Districts are located along Main Street (See Figure 29). Zoning regulations limit uses to activities which are dependent or enhanced by a waterfront location.

The majority of permitted uses are recreation oriented. The Waterfront District directly implements:



Village of Youngstown

Local Waterfront Revitalization Program

Figure 29: PROPOSED ZONING MAP

Planning Consultant: Thomas J. Dearing

- Since permitted uses include boat launches, yacht clubs, public recreation, and other water dependent uses on parcels having frontage on the Niagara River, the Zoning Ordinance partially implements Policy 2A and 2B which calls for the maintenance or promotion of water dependent or enhanced uses west of Main Street within the Village Center.

- It also directly implements Policy 21A which gives priority to water-dependent and enhanced recreation in the Water Street/Ferry area, since those recreation uses listed in the above paragraph are the only permitted uses on waterfront parcels.

(ii) Height and bulk requirements within the Commercial Restricted District (i.e. Section 2-042B) prohibit structures from being placed above the ground level of the Niagara River high bank. In addition, no structures can be erected which substantially restrict or block the vista or view of the River from Water Street. These provisions aid in implementing Policy 25 relative to protecting scenic vistas at Constitution Park.

(iii) The south shoreline vista extending approximately 400 feet north from the Village's south boundary is zoned R-40. A minimum residential lot size of 40,000 square feet is established with a 60 foot front yard requirement. These requirements, in effect, prohibit construction in the scenic vista area illustrated on Figure 13 due to the narrow land area between Route 18F and the River. Thus, Policy 25, relative to preserving scenic vistas is partially implemented by this zoning provision.

e. <u>Local Law No. 8 of 1977 - Youngstown Subdivision Regulations (Adopted November, 1977)</u>. The regulations ensure the proper design and integration of, both major and minor, subdivisions of land with Village utilities, streets, and adjacent land uses.

The subdivision regulations aid in implementing the following LWRP policies:

(i) Section 17 requires that major subdivisions must include storm drainage plans which are consistent with the Village's comprehensive Village drainage study. Although the latter has yet to be prepared, the consistency provision will assist in implementing Policy 33A which deals with storm drainage management. The completion of a Village drainage study is a recommendation of the LWRP

(ii) Section 14(d) prohibits plotting of land subject to flooding for any use that might aggravate the flood hazard. This aids in implementing Policy 11 which deals with flood hazard protection. Since new development parcels cannot be formed out of existing plots within the flood hazard area, the potential for property damage and endangerment of human life is minimized.

(iii) Section 17(A-D) contains the following storm drainage design requirements for major subdivisions (i.e. five or more lots)

(1) Each major subdivision must be related to the drainage pattern affecting the areas involved, with proper provision made for adequate storm drainage facilities. Storm drainage plans must reflect potential surface runoff within the drainage area after development, and must comply with the requirements of the Village Engineer, the Board, and the comprehensive Village drainage study.

(2) Grades must be set so as to drain storm water away from planned improvements on each lot and into swales, ditches, culverts or other drainage facilities that conduct the storm drainage into the underground storm drainage system or into a natural watercourse.

(3) If a major subdivision is traversed by a watercourse, drainage way, channel, or stream, a storm sewer easement or drainage right-of-way conforming substantially with the line of such watercourse must be provided. The width of the easement or right-of-way must be approved by the Village Engineer and the Board with due regard to ease of maintenance.

(4) Storm drainage facilities must be of sufficient capacity to handle not only the anticipated discharge from the property being subdivided, but also the anticipated runoff that might occur if property at a higher elevation in the drainage area is developed.

Minor subdivisions (i.e. not more than four lots) must comply with items 2 and 4 above.

The storm drainage provisions aid in implementing Policy 33 regarding use of best management practices to control storm water runoff into the Niagara River. The subdivision regulations establish clear guidelines intended to control the negative impacts excessive storm water can cause such as soil erosion, downstream flooding, sedimentation of water courses, and over-use of existing storm drainage systems.

(iv) Section 21 requires that all utilities be installed below ground level. This will aid in implementing Policy 1 regarding the revitalization of the Water Street/ Lockport Street area and development of a public promenade. Overhead utility lines cause an intrusion into the visual landscape and can work against the Village's goal of revitalizing the area. A requirement to bury the lines will complement other Village public improvements to improve the corridors aesthetic appeal.

f. <u>Flood Damage Prevention Local Law</u> - 11/87. The purpose of the law is to minimize public and private losses from flooding in areas designated as special flood hazard areas. The law establishes general

and specific standards for construction techniques to be used within such areas.

The law implements the following policies

(i) Policy 11 Re: Siting of buildings to minimize property and personal damage. Section 5 includes standards regarding anchoring, construction materials, utility placement, encroachment and specific standards for residential and non-residential use. These are all intended to implement Policy 11.

(ii) Policy 14 Re: Construction of Erosion Protection Structures in a Manner Which Ensures no Measurable Increase in Flooding. Section 4.2 requires a Development Permit before construction can occur in special flood hazard areas. The law requires that the Development Permit application be certified by a licensed engineer or architect indicating that the non-residential flood-proofed structure meets the law's flood proofing criteria. The latter includes a requirement that the cumulative effect of any proposed development (e.g. erosion control structure) when combined with existing or proposed development, shall not increase the water surface elevation of the base flood more than one foot at any point.

(iii) Policy 33 Re: Storm water Runoff Control. Section 5.1-3(3) establishes a standard that new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters. This will help eliminate problems of excess flows through the Village's sanitary system during high water periods thus causing untreated discharges into streams or other water sources.

2. Additional Local Laws and Regulations Adopted to Implement the LWRP

a. Zoning Map Revisions (See Figure 29)

(i) The Waterfront District replaces the Commercial Restricted District.

(ii) The designation of Waterfront Park as within a Public Facilities District has been replaced with its inclusion in the Waterfront District.

(iii) The Waterfront Commercial 1 and 2 Districts replace the Commercial District on the east and west side of Main Street between Hinman Street and approximately William Street.

(iv) The land area directly north and east of the Youngstown Village Square Apartments should be rezoned from RCL-3 to R-8A reflecting its proposed use for multi-family development.

(v) The land zoned RCL-3 in all sections of the Village, except the land between Oak and Lockport Streets, should be rezoned to R-40. This encourages new, higher density housing to occur

within the interior blocks, rather than in the outlying areas. The R-40 classification should be considered temporary until development pressure reaches that section of the Village.

(vi) A Waterfront Bluff Overlay District has been added coinciding with the area described in the Explanation to Policy 12.

b. Zoning Ordinance Revisions: There were three major revisions to the Zoning Ordinance. The first creates a Waterfront District in the Water Street/Ferry Street area. Water-dependent uses would be permitted with a site plan requirement for most activities. A condition of site plan approval by the Planning Board is the use's consistency with the LWRP. See Attachment A for the specific text of the Zoning revisions.

The zoning change implements the following policies to a greater degree than the existing CR District:

(i) Policies 2, 2A and 2B Re: Water-dependent and water-enhanced uses.

The permitted uses clearly carry out the above policies.

The second major zoning proposal is the creation of the Waterfront Commercial 1 and 2 Districts along portions of Main Street in the Village Center. Uses which can benefit from a site having a waterfront view will be permitted on the west side of Main Street (Waterfront Commercial 1 District). Design standards relative to building height, signs, utilities and landscaping will help create an attractive commercial corridor.

(ii) Policies 1, 1A and 1B Re: Revitalize the Village Center.

The encouragement of water-enhanced commercial uses along the west side of Main Street rather than convenience retail uses will open up some land for modest retail growth. The requirement for site plan approval will foster a comprehensive review of most development proposals to ensure that their location, design and impact further the above policy.

(iii) Policy 2B re: Water-enhanced uses.

The permitted uses for the west side of the bluff clearly carry out Policy 2B, since restaurants, boutiques/specialty shops, and village inns are given priority.

(iv) Policy 25 Re: Scenic Vista.

The design incentives recommended in the ordinance for uses which are able to incorporate public viewing areas into their design will aid in implementing the scenic vista element of Policy 25.

The third major zoning proposal is the inclusion of a Waterfront Bluff Overlay District (see Policy 12 for a definition of bluff). The new district

recognizes the value of the bluff for scenic enjoyment and erosion protection. Limitations on development, in terms of type and construction method, are included in the proposed changes. Basically, bluff cuts needed for structures, roadways, etc. would be prohibited. However, stairways and construction needed for public access would be allowed subject to design guidelines, as well as movable structures. Site plan approval would be required for most development.

The bluff regulations implement the following policies:

(i) Policy 12A RE: Bluff protection
The use of regulations and design guidelines are intended to protect the bluff.

Policy 14 Re: Insure no increase in erosion from construction.

(ii) Policy 17 Re: Use of non-structural measures to control erosion.
The bluff regulation is a non-structural measure.

(iii) Policies 25 and 25A Re: Scenic resources. Because of the vistas from the landslide edge of the bluff off Constitution Park, the area extending 400 feet north from the Village's south boundary, and the Village street ends which are of local importance, the prohibition of uses on the bluff which would block views or create an intrusion onto the natural bluff landscape in these areas will aid in implementing this policy.

c. **Local Consistency Law:** In order to expand the scope of local reviews under the provisions of the New York State Environmental Quality Review Act (SEQR), it is proposed that the Village adopt a local consistency law. (See Attachment B).

The new law requires all Type I and unlisted actions (as defined by the SEQR implementation regulations) that would be directly undertaken, approved or funded by the Village to be reviewed by the Board of Trustees for consistency with the Village of Youngstown LWRP. The law further prohibits such actions from being carried out, unless the lead agency determines that the action is consistent with the general intent of the LWRP. The Local Consistency Law implements all of the local waterfront policies through Section 2.2 Consistency Determination.

B. OTHER PUBLIC AND PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP.

Reference should be made to Figure 30 which provides a blueprint for implementing the Village's LWRP over the next 10 years. The following narrative provides more specific information about how each action furthers the implementation of LWRP policies.

1. Local Government Actions Necessary to Implement the LWRP

a. Constitution Park Improvements will occur following completion of a detailed design. This project is described more fully in Section IV. Such improvements will aid in implementing Policy 2A (re: Maintain water dependent recreation uses in the Water Street/Ferry Street area); Policy 9A (re: Improving access to Water Street/Ferry Street area for fishing); Policy 19A (re: Improve access to Constitution Park); Policies 21A and 21B (re: Encourage water-dependent recreation at Constitution Park, and Policy 25A (re: Protect scenic vistas at Constitution Park).

b. Vehicle Access Improvements to Constitution Park as described in Section IV will allow public access and safer vehicle travel along the unimproved right-of-way into Constitution Park. Such access will be limited to elderly and handicapped groups, as well as maintenance vehicles. This will aid in implementing Policy 19(re: Improve access to Constitution Park), and Policy 20 (re: Provide access to public lands at the water's edge).

c. Waterfront Park Improvements include relocating the old customs building in order to open up an additional 7,500 square feet of park space. This will provide more water-dependent recreation space thereby implementing Policy 21A and 21B(re: Encourage water-dependent recreation at Waterfront Park).

The elimination of six parking spaces will also open up 200 square feet of new park land.

d. The Hinman Street Stairway will link the municipal parking lot with the Water Street recreation uses. Thus, it will improve pedestrian access to the waterfront and aid in implementing Policy 19A (re: Improve access to Waterfront Park) and Policy 20 (re: Provide access to public lands at the water's edge).

e. The Village Center Facade Improvements will improve the physical appearance of businesses along Main Street and Lockport Street, thereby enhancing the area's attractiveness to tourists and Village shoppers. It will therefore aid in implementing Policy 1A (re: Revitalize the Main Street/Lockport Street area).

f. The Main Street Promenade will create a pleasant visual environment from the Village Center to the Fort Niagara State Park entrance. It will also serve as a formal link between the two activities. Policy 1A (re: Revitalize the Main Street/Lockport Street area) will be partially implemented through this project.

g. Improvements to the Niagara Street End will provide public access to a scenic vista of the River and Niagara-On-The-Lake, Ontario. Thus, Policy 25A (re: Enhance scenic vistas) will be implemented through this action, as well as Policy 21B (re: New... water-enhanced recreation uses will be provided at ... appropriate Village Street ends.)

h. The Church, Campbell and Elliott Street Ends-Selected Cutting and Clearing project will open up three scenic vistas to motorists and pedestrians using Route 18F. This will aid in carrying out Policy 25A (re: Enhance scenic vistas).

i. The Parking Improvements In the Village Center will permit the removal of parking spaces in the Water Street/Ferry Street area. The latter area could then be converted to recreation uses which are more dependent or enhanced by a shoreline location. Thus, this action would assist in implementing Policy 2A (re: Maintain the mix of water-dependent commercial and recreation uses in the Water Street/Ferry Street area), and Policy 21A (re: Priority to water-dependent and enhanced recreation in Water Street/Ferry Street area).

j. The proposed Historic Resources Survey, as described in the explanation to Policy 23B will serve as the initial local implementation action necessary to carry out Policy 23B.

k. The proposed Village Drainage Study will aid in implementing Policy 33A (re: Best management practices for storm drainage control). It will also serve as a planning tool during subdivision review.

l. The Tourist Circuit Concept as discussed in the 1986 Niagara County Economic Development Strategy is recommended for implementation by the Niagara County Industrial Development Agency. Such "circuits" would link currently distant points of interest in the County such as the Niagara Gorge, Erie Canal, Historic Lockport, Youngstown Harbor, etc. They would become part of a formal tour promoted by Niagara County tourism promotion agencies to bus tour companies, convention planners, and other similar organizations. This would increase retail traffic in the Village and aid in carrying out Policy 1A (re: Revitalize the Main Street/Lockport Street area).

m. A Pedestrian Crossing System is needed across Main Street between Falkner and Constitution Parks. This should be completed by the Niagara County Department of Public Works. At a minimum it should consist of pavement markings, warning signs, and a reduced speed zone. This will improve pedestrian access to Constitution Park, thereby implementing Policy 19A (re: increase access to Constitution Park). The Village should also cordon off Main Street in this area during major events to better permit pedestrian flow between the two parks.

n. The Village has completed an inflow and infiltration study relative to their sanitary sewer system. It is now being refined and will result in the identification of specific inflow and infiltration problems and consequent recommendations to address the issues. The completion

of the analysis and implementation of any recommendations will aid in implementing Policy 33A (re: Best management practices for storm drainage control) by reducing the amount of storm water runoff flowing into the Niagara River.

o. A series of design charattes should be developed by the Village dealing with: (a) Village Center Parking, (b) Falkner and Constitution Park linkage and (c) Village Square/Retail Improvements. This could be carried out by students from the School of Environmental Design at SUNY at Buffalo as field lab projects and provide the Village with some innovative physical design proposals.

p. Water Street Improvements are needed relative to lighting, sidewalks, and other appropriate street furniture.

2. Private Actions Necessary to Implement the LWRP

a. The Youngstown Yacht Club should, in cooperation with the Village, carry out the redevelopment plan for their property north of Water Street. This would include accommodating the limited right-of-way needs of the Village for elderly, handicapped and maintenance vehicles to Constitution Park, and using the current parking area for more water-dependent recreation use.

b. Marine Midland Bank, St. Bernard's Church and B-Kwik Food Store should work with the Village in permitting use of their lots for overflow parking needs during summer weekends. This could be accomplished through a lease arrangement which could be renewed monthly. Thus, if demand for parking does not materialize the Village is not tied into a fixed cost arrangement. Once again the additional parking spaces would only be needed after parking is reduced on Yacht Club property.

c. In order to attract new retail activity and promote necessary capital improvements in the Village Center, a private Business Association should be organized. Initially, the group should concentrate on working with the Seaway Trail Committee, officials of Fort Niagara State Park, and the County tourism promotion agency in order to encourage bus tours to stop off at Youngstown for meals. As Constitution Park is developed and the other proposed improvements are made, the Village will become an increasingly attractive place to visit. Longer stays by area visitors would become more common thereby increasing demand for new retail outlets, overnight lodgings (e.g. bed and breakfast establishments) etc. A Business Association is an essential catalyst for ensuring that the public and private sectors work cooperatively in their pursuit of a more attractive and better utilized Village Center.

C. MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

1. Lead Agency and Local Official: The Board of Trustees shall be considered the lead agency for managing the LWRP, while the Mayor will be the local official responsible for overall program coordination within the Village government.

2. Implementation Responsibilities: The following provides a brief overview of how various Village offices will be involved in LWRP implementation.

   a. **Mayor's Office:** As lead local official, the Mayor will be responsible for directing Village personnel to utilize the LWRP in their actions, including zoning and environmental review, as well as initiating those other local actions necessary for LWRP implementation.

   b. **Board of Trustees:** In its role as lead agency for environmental reviews, the Board of Trustees shall be responsible for certifying the consistency of Type I or unlisted actions with the LWRP. The Board of Trustees will also approve capital funding expenditures as required to carry out those actions which are recommended as the responsibility of the Village to implement.

   c. **Village Building Inspector:** Responsibilities shall include enforcing the provisions of the new zoning districts and the Zoning Ordinance in general. The Building Inspector shall also assist the Planning Board in reviewing proposed zoning actions for consistency with the LWRP.

   d. **Planning Board:** Responsibilities include review of Type I and unlisted actions for consistency with the LWRP pursuant to provisions of the proposed Local Consistency Law. Review recommendations will be submitted to the Board of Trustees for their consideration in determining the action's consistency with the LWRP.

3. Local Consistency Procedures: Reference should be made to Appendix A (i.e. Zoning Ordinance Amendments) and Appendix B, (i.e. Local Consistency Law).

4. Federal and State Action Consistency Review Procedures:

Proposed Stated and Federal action occurring within the Village will be reviewed in accordance with procedures developed by the New York State Department of State, and set forth in Appendix C.

D. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

Reference should be made to Figure 30 for a summary of the cost, funding sources, and timetable for LWRP implementation.

Due to the small size of the Village and the subsequent few dollars available for discretionary spending, it is important that the Village aggressively pursue outside funds to carry out those items listed in Figure 31. Village officials should seek assistance in writing grants from the Niagara County Planning and Industrial Development Agency or the Erie and Niagara Counties Regional Planning Board. Both organizations have professional planning staffs which are familiar with funding sources and how to apply.

In the event the above agencies are unable to assist the Village, it is recommended that a private planning firm be hired on a per diem basis to seek out, apply and, if necessary, administer public and/or private foundation grants on behalf of the Village.

PROPOSAL	LEAD AGENCY	TIMETABLE	ESTIMATED COST (ORDER OF OF MAGNITUDE)	FUNDING SOURCES
1. Constitution Park Development	Village of Youngstown	1988 - Design 1989 - Construction	$300,000 - $500,000	(a) NYS Environmental Quality Bond Act-Municipal Park Element (b) NYS Coastal Management Program. (c) Federal Land and Water Conservation Fund. (d) NYS Aid to local governments. (e) Village of Youngstown
2. Vehicle Access Improvements to Constitution Park	Village of Youngstown	1989	Not available: Subject to agreement between Yacht Club and Village	(a) Private (b) Village of Youngstown
3. Waterfront Park Improvements	Village of Youngstown	1988	Force Account	Village of Youngstown
4. Hinman Street Stairway	Village of Youngstown	1988	$20,000	(a) NYS Coastal Management Program (b) NYS Aid to Local Governments (c) Village of Youngstown
5. Village Center Facade Improvements	Village of Youngstown	1989	$25,000 (Revolving Loan Fund)	(a) NYS Aid to Local Governments (b) Private
6. Main Street Promenade	Village of Youngstown	1990-91	$100,000	(a) NYS Coastal Management Program (b) NYS Aid to Local Governments (c) NYS Office of Parks, Recreation and Historic Preservation (d) Village of Youngstown
7. Niagara Street End Improvements	Village of Youngstown	1991	$20,000	See #1
8. Village Center Parking Improvements	Village of Youngstown	1990	Dependent on lease negotiations	Village of Youngstown -In-Kind Donation from Private Sector
9. Historic Resources Survey	Village of Youngstown	1991	$8,000 Preservation-	(a) NYS Council On The Arts (b) NYSOPR-Division of Historic Certified Local Government Program. (c) NYS-Aid to Local Governments (d) Youngstown Historic Societies (Volunteer) (e) Village of Youngstown (f) Private Foundation-Corporate Support
10. Village Drainage Study	Village of Youngstown	1992	$15,000	(a) SUNYAB - School of Engineering & Planning (b) Village of Youngstown (c) NYS Aid to Local Governments
11. Tourist Circuit Concept-Promotion	Niagara County Dept. of Planning	1990	Unavailable	(a) Niagara County (b) NYS Tourism Funds
12. Pedestrian Crossing System-Main Street	Niagara County Dept. of Public Works	1988	Force Account	Niagara County
13. Implement Inflow & Infiltration Study Recommendations	Village of Youngstown	1989-90	Dependent on recommendations	(a) Village of Youngstown (b) Pure Waters Program - USEPA and NYSDEC
14. Implement Youngstown Yacht Club Development Plan	Youngstown Yacht Club	1987-89	Unavailable	(a) Private
15. Village Street End-Scenic Vista	Village of Youngstown	1988	Force Account	(a) Village of Youngstown
16. Village Regulatory Changes	Village of Youngstown	1988	NA	NA
17. Formation of Village Business Association	Local business	1988	NA	NA
18. Water Street Improvements	Village of Youngstown	1990 & 1992	$50,000	See #6
19. Design Concept Plans	Village of Youngstown	1989, 1991, 1992	NA	SUNYAB - Student Credit Work

Figure 30 Implementation Blueprint

PROJECT	YEAR 1988	1989	1990	1991	1992
1. Constitution Park Design	$40,000				
2. Constitution Park Development		$400,000			
3. Vehicle Access To Constitution Park		Undetermined			
4. Waterfront Park Improvements	Force Acct.				
5. Hinman St. Stairway	$20,000				
6. Village Center Facade Improvements		$25,000			
7. Main St. Promenade			$60,000*	$40,000	
8. Water St. Improvements			$50,000*		$10,000
9. Niagara St. End Improvements				$20,000	
10. Village Center Parking Improvements			Not Available		
11. Historic Resources Survey				$8,000	
* Installation of Underground Utilities					
12. Village Drainage Study					$15,000
13. Tourist Circuit Concept Promotion			Not Available		
14. Pedestrian Crossing System-Main Street	Force Acct.				
15. Implement Inflow Recommendations		Not Available	Not Available		
16. Implement Youngstown Yacht Club Development Plan	Not Available				
17. Village Street End Vista Improvements	Force Acct.				
18. Village Regulatory Changes	Not Applicable				
19. Formation of Village Business Association	Not Applicable				
20. Design Concept Plans		Not Applicable		Not Applicable	Not Applicab

Figure 31 Project Cost Schedule

SECTION VI

STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the Federal Coastal Zone Management Act, certain State and Federal actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This 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 and Federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

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

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

A. STATE AND FEDERAL ACTIONS AND PROGRAMS WHICH SHOULD BE UNDERTAKEN IN A MANNER CONSISTENT WITH THE 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 ALCOHOL ABUSE

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

2.00 Permit and approval programs:

2.01 Letter Approval for Certificate of Need
2.02 Operating Certificate (Alcoholism Facility)
2.03 Operating Certificate (Community Residence)
2.04 Operating Certificate (Outpatient Facility)
2.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

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

2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

1.00 Permit and approval programs:

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

1.23 Authorization Certificate (Savings and Loan Association Change of Location)
1.24 Authorization Certificate (Savings and Loan Association Charter)
1.25 Authorization Certificate (Subsidiary Trust Company Charter)
1.26 Authorization Certificate (Trust Company Branch)
1.27 Authorization Certificate (Trust Company-Change of Location)
1.28 Authorization Certificate (Trust Company Charter)
1.29 Authorization Certificate (Trust Company Public Accommodations Office)
1.30 Authorization to Establish a Life Insurance Agency
1.31 License as a Licensed Lender
1.32 License for a Foreign Banking Corporation Branch

DEPARTMENT OF COMMERCE

1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
2.00 Allocation of the state tax-free bonding reserve.

DEPARTMENT OF CORRECTIONAL SERVICES

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

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

1.00 Financing of higher education and health care facilities.
2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

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

2.00 Permit and approval programs:

2.01 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

Lands and Forests

9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
9.22 Floating Object Permit
9.23 Marine Regatta Permit
9.24 Mining Permit
9.25 Navigation Aid Permit
9.26 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
9.30 Underground Storage Permit (Gas)
9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Marine Resources

9.32 Digger's Permit (Shellfish)
9.33 License of Menhaden Fishing Vessel
9.34 License for Non-Resident Food Fishing Vessel

9.35 Non-Resident Lobster Permit
9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
9.37 Permits to Take Blue-Claw Crabs
9.38 Permit to Use Pond or Trap Net
9.39 Resident Commercial Lobster Permit
9.40 Shellfish Bed Permit
9.41 Shellfish Shipper's Permits
9.42 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean

Regulatory Affairs

9.43 Approval - Drainage Improvement District
9.44 Approval - Water (Diversions for) Power
9.45 Approval of Well System and Permit to Operate
9.46 Permit - Article 15, (Protection of Water) - Dam
9.47 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
9.48 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
9.49 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
9.50 Permit - Article 15, Title 15 (Water Supply)
9.51 Permit - Article 24, (Freshwater Wetlands)
9.52 Permit - Article 25, (Tidal Wetlands)
9.53 River Improvement District Approvals
9.54 River Regulatory District Approvals
9.55 Well Drilling Certificate of Registration

Solid Wastes

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

Water Resources

9.58 Approval of Plans for Wastewater Disposal Systems
9.59 Certificate of Approval of Realty Subdivision Plans
9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)
9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
9.62 Permit - Article 36, (Construction in Flood Hazard Areas)
9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
9.64 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
9.65 State Pollutant Discharge Elimination System (SPDES) Permit
9.66 401 Water Quality Certification

10.00 Preparation and revision of Air Pollution State Implementation Plan.

11.00 Preparation and revision of Continuous Executive Program Plan.

12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

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

FACILITIES DEVELOPMENT CORPORATION

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

OFFICE OF GENERAL SERVICES

1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants 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.

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.

NIAGARA FRONTIER TRANSPORTATION AUTHORITY (regional agency)

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.

3.00 Increases in special fares for transportation services to public water-related recreation resources.

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 or other activities related to the management of land under the jurisdiction of the University.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

DIVISION OF SUBSTANCE ABUSE SERVICES

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

2.00 Permit and approval programs:

- 2.01 Certificate of Approval (Substance Abuse Services Program)

DEPARTMENT OF TRANSPORTATION

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

2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:

- (a) Highways and parkways
- (b) Bridges on the State highways system
- (c) Highway and parkway maintenance facilities
- (d) Barge Canal
- (e) Rail facilities

3.00 Financial assistance/grant programs:

3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)

3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York

3.03 Funding programs for rehabilitation and replacement of municipal bridges

3.04 Subsidies program for marginal branchlines abandoned by Conrail

3.05 Subsidies program for passenger rail service

4.00 Permits and approval programs:

4.01 Approval of applications for airport improvements (construction projects)
4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
4.05 Certificate of Convenience and Necessity to Operate a Railroad
4.06 Highway Work Permits
4.07 License to Operate Major Petroleum Facilities
4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
4.09 Permits for Use and Occupancy of N.Y. State Canal Lands (except Regional Permits [Snow Dumping])
4.10 Real Property Division Permit for Use of State-Owned Property

5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.

6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

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.

DIVISION OF YOUTH

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

2. Federal Agencies

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Proposed authorizations for dredging, channel improvements, break-waters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.

2.00 Land acquisition for spoil disposal or other purposes.

3.00 Selection of open water disposal sites.

Army, Navy and Air Force

4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).

5.00 Plans, procedures and facilities for landing or storage use zones.

6.00 Establishment of impact, compatibility or restricted use zones.

DEPARTMENT OF ENERGY

1.00 Prohibition orders.

GENERAL SERVICES ADMINISTRATION

1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.

2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

1.00 Management of National Wildlife refuges and proposed acquisitions.

National Park Service

3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, Conrail

1.00 Expansions, curtailments, new construction, upgrading or abandonments or railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.

3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).

4.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lanes and ice management practices and activities.

Federal Aviation Administration

5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

6.00 Highway construction.

St. Lawrence Seaway Development Corporation

7.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

FEDERAL LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).

2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).

3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).

4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).

5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).

6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

DEPARTMENT OF ENERGY

Economic Regulatory Commission

1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.

2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).

4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).

5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).

6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

ENVIRONMENTAL PROTECTION AGENCY

1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).

2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.

3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).

4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Mineral Management Service

2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.

3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

INTERSTATE COMMERCE COMMISSION

1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

NUCLEAR REGULATORY COMMISSION

1.00 Licensing and certification of the siting, construction and operation of nuclear power plans pursuant to Atomic Energy Act of 1954, Title II of the

Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

DEPARTMENT OF TRANSPORTATION

Coast Guard

1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.

2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

3.00 Permits and licenses for construction, operation or alteration of airports.

FEDERAL ASSISTANCE*

DEPARTMENT OF AGRICULTURE

10.068 Rural Clean Water Program
10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
10.410 Low to Moderate Income Housing Loans
10.411 Rural Housing Site Loans
10.413 Recreation Facility Loans
10.414 Resource Conservation and Development Loans
10.415 Rural Renting Housing Loans
10.416 Soil and Water Loans
10.418 Water and Waste Disposal Systems for Rural Communities
10.422 Business and Industrial Loans
10.424 Industrial Development Grants
10.426 Area Development Assistance Planning Grants
10.429 Above Moderate Income Housing Loans
10.430 Energy Impacted Area Development Assistance Program
10.901 Resource Conservation and Development
10.902 Soil and Water Conservation
10.904 Watershed Protection and Flood Prevention
10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
11.301 Economic Development - Business Development Assistance
11.302 Economic Development - Support for Planning Organizations
11.304 Economic Development - State and Local Economic Development Planning
11.305 Economic Development - State and Local Economic Development Planning
11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
11.405 Anadromous and Great Lakes Fisheries Conservation
11.407 Commercial Fisheries Research and Development
11.417 Sea Grant Support
11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
11.501 Development and Promotion of Ports and Intermodel Transportation
11.509 Development and Promotion of Domestic Waterborne Transport Systems

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
14.117 Mortgage Insurance - Homes

14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
14.125 Mortgage Insurance - Land Development and New Communities
14.126 Mortgage Insurance - Management Type Cooperative Projects
14.127 Mortgage Insurance - Mobile Home Parks
14.218 Community Development Block Grants/Entitlement Grants
14.219 Community Development Block Grants/Small Cities Program
14.221 Urban Development Action Grants
14.223 Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

15.400 Outdoor Recreation - Acquisition, Development and Planning
15.402 Outdoor Recreation - Technical Assistance
15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
15.411 Historic Preservation Grants-in-Aid
15.417 Urban Park and Recreation Recovery Program
15.600 Anadromous Fish Conservation
15.605 Fish Restoration
15.611 Wildlife Restoration
15.613 Marine Mammal Grant Program
15.802 Minerals Discovery Loan Program
15.950 National Water Research and Development Program
15.951 Water Resources Research and Technology - Assistance to State Institutes
15.952 Water Research and Technology - Matching Funds to State Institutes

DEPARTMENT OF TRANSPORTATION

20.102 Airport Development Aid Program
20.103 Airport Planning Grant Program
20.205 Highway Research, Planning, and Construction
20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
20.310 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
20.506 Urban Mass Transportation Demonstration Grants
20.509 Public Transportation for Rural and Small Urban Areas

GENERAL SERVICES ADMINISTRATION

39.002 Disposal of Federal Surplus Real Property

COMMUNITY SERVICES ADMINISTRATION

49.002 Community Action
49.011 Community Economic Development
49.013 State Economic Opportunity Offices
49.017 Rural Development Loan Fund
49.018 Housing and Community Development (Rural Housing)

SMALL BUSINESS ADMINISTRATION

59.012 Small Business Loans
59.013 State and Local Development Company Loans
59.024 Water Pollution Control Loans
59.025 Air Pollution Control Loans
59.031 Small Business Pollution Control Financing Guarantee

ENVIRONMENTAL PROTECTION AGENCY

66.001 Air Pollution Control Program Grants
66.418 Construction Grants for Wastewater Treatment Works
66.426 Water Pollution Control - State and Areawide Water Quality Management Planning Agency
66.451 Solid and Hazardous Waste Management Program Support Grants
66.452 Solid Waste Management Demonstration Grants
66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

NOTE: Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

B. FEDERAL AND STATE ACTIONS AND PROGRAMS NECESSARY TO FURTHER THE LWRP.

1. Federal Actions and Programs Necessary to Further the LWRP

a. Environmental Protection Agency

Immediate implementation of the "action plan" to carry out the recommendations of the Niagara River Toxic Plan as prepared in 1984 by the USEPA, Environment Canada, NYSDEC, and Ontario Ministry of the Environment.

2. State Actions and Programs Necessary to Further the LWRP

Reference should be made to Figure 30 in Section V for a listing of local projects and the correlating State funding agency. These State funding actions are all necessary to further the LWRP. Other necessary State actions are as follows:

a. Department of Environmental Conservation

Reclassification of the unnamed intermittent stream in the southern section of the Village from a "D" to a "B" classification.

b. Office of Parks, Recreation, and Historic Preservation

Administrative personnel from the Niagara Frontier State Parks and Recreation Commission should work cooperatively with the Village and proposed Business Association. Promotion of Village services, retail outlets, and restaurants should be carried out by the Commission through distribution of promotional literature at the park entrances, notification of tour bus operators about the eating areas in Youngstown, etc. A representative from the Commission should also actively participate as a member of the Business Association.

c. Office of General Services

Prior to any development occurring in the water or on the immediate waterfront, OGS should be consulted for a determination of the State's interest in underwater or formerly underwater lands and for authorization to use and occupy these lands.

SECTION VII

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

DESCRIPTION OF CONSULTATION ACTIVITIES

The Village has undertaken a variety of methods to insure that all affected government units and agencies have been involved or made aware of the LWRP process. Such methods are described in the following paragraphs.

A. EARLY NOTIFICATION

In July, 1987 the Village initiated the State Environmental Quality Review process for the LWRP. Through various mailings associated with SEQR, the following agencies obtained a very early notification of the Village's waterfront planning efforts.

1. New York State Department of Environmental Conservation (NYSDEC) - Albany and Buffalo Office
2. New York State Department of State
3. Niagara Frontier State Parks and Recreation Commission
4. New York State Clearinghouse
5. U.S. Army Corps of Engineers
6. Niagara County Department of Planning and Industrial Development
7. Erie and Niagara Counties Regional Planning Board
8. Town of Porter
9. Town of Lewiston

B. INFORMATION EXCHANGE

An important element of the planning process was the exchange of material/data from other government units having some role in actions along the Village of Youngstown shoreline. The instances where such information was exchanged are listed below.

1. Mr. Warren Lavery - NYSDEC re: Stream Classification 6/16/87
2. Mr. George Sutton - NYSDEC re: Stream Classification 6/16/87
3. Mr. Tim Trabold - Niagara Frontier Transportation Committee - re: Road Classification 6/16/87
4. Mr. Chuck Florence - NYSOPR re: Archaeological Resources 6/24/87 and 7/7/87.
5. Ms. Lucy Breyer - NYSOPR re: Historic Resources - 6/29/87 and 7/19/87.

6. Mr. Roman Racozi - NYSDEC re: Bluff Protection - 6/30/87

7. Mr. Len Skrill - NYS Division of Housing and Community Renewal re: Commercial Loan Programs 7/7/87

8. Mr. John Merino - Niagara Falls Neighborhood Housing Services re: Commercial Facade Program 7/7/87

9. Ms. Bonnie Pfieffer - Village of Lewiston re: Historic Preservation Ordinance 7/7/87

10. Mr. Paul Knab - NYSDOT - re: State Highways 7/7/87

11. Mr. Don Smith - Niagara County Department of Public Works - re: County Highways 7/13/87

12. Mr. Michael Tillman - Niagara County Soil and Water Conservation District re: Drainage 7/19/87

13. Mr. Bill Morton - NYSDEC re: Water Resources 7/87

14. Mr. Greg Sutton - NYSDEC re: Sewerage System 8/13/87

15. Mr. Richard Boos - New York State Department of State re: Zoning 9/87

C. REVIEW OF DRAFT LWRP BY STATE, FEDERAL, AND LOCAL AGENCIES

The Draft LWRP (with Draft EIS) was reviewed and approved by the Village Board and forwarded to the NYS Department of State (DOS). The DOS then initiated a 60-day review of the Draft LWRP/DEIS pursuant to the Waterfront Revitalization and Coastal Resources Act and State Environmental Quality Review Act. Copies of the Draft LWRP and DEIS were distributed by DOS to all potentially affected State and Federal agencies, Niagara County, adjacent waterfront municipalities, and the Erie and Niagara Counties Regional Planning Board. Comments received on the Draft LWRP/DEIS were reviewed by DOS and the Village and resultant changes were made to the LWRP, which are detailed in the Final Environmental Impact Statement.

SECTION VIII

ACTIVITIES TO SECURE LOCAL COMMITMENT

A. YOUNGSTOWN WATERFRONT ADVISORY COMMITTEE (YWAC)

The eleven member YWAC was created by the Youngstown Village Board of Trustees on July 30, 1986 to represent the diverse interests of the community in coastal planning. It includes members of the Village Board, Planning Board, Zoning Board of Appeals and Youngstown Yacht Club; representatives of local and area marine and fishing interests; Village merchants which depend on waterfront tourism/activity; and residents with an understanding of Village history and development. It also includes members of the Niagara Frontier State Parks and Recreation Commission and Niagara River Angler's Association in an advisory capacity for special coastal issues.

The YWAC operates by consensus and advises the Village Board on LWRP acceptance. Their principle responsibilities are to review/revise LWRP elements, develop policy recommendations regarding future development in cooperation with the Planning Board, and the education, as well as the dissemination of information, about the LWRP to Village officials and the general public. The Committee provides a local forum for the expression of ideas and the establishment of objectives to guide future development in the Village.

During the development of the LWRP, the Committee convened monthly and held two public meetings to solicit community input. The two meetings were held at the initial stage of program development and following completion of a draft report. This provided an opportunity for both early comment on LWRP issues and overall reaction to those methods proposed to improve the Village environment.

B. BOARD OF TRUSTEES

As noted in the previous sub-section, the Board of Trustees was represented by two members on the Waterfront Advisory Committee.

In addition, the Mayor attended numerous Committee meetings and the public sessions. This provided the Board with an understanding of the LWRP process and insured a smooth transition into the approval stage.

Finally, the draft LWRP was formally presented to the Board at one of their regularly scheduled meetings.

ATTACHMENT A

ZONING ORDINANCE AMENDMENTS

A. Amend Article I, Section 1-11 of the Zoning law of the Village of Youngstown by deleting the Restricted Commercial District, and by adding the following new zoning districts:

W	Waterfront District
WC1	Waterfront Commercial District 1
WC2	Waterfront Commercial District 2
B	Bluff Overlay District

All other references to the Restricted Commercial District within the Village Zoning Law is hereby deleted.

B. Amend Article I, Section 1-12 of the Zoning Law of the Village of Youngstown by inclusion of a new zoning map incorporating the Waterfront District, Waterfront Commercial District; Waterfront and Commercial 2 and Bluff Overlay District by reference. A revised zoning map is attached to this local law.

C. Amend Article II, Section 2-04 of the Zoning Law of the Village of Youngstown by adding a new line as follows:

P."Restaurant: Fast Food, but not on a lot where a side lot abuts a lot in a R District.

D. Amend Article II, Section 2-20 of the Zoning Law of the Village of Youngstown by adding the following sentence. Said sentence shall be added to the last paragraph within the Section.
"Regulations pertinent to the W, WC1, WC2 and B Districts are contained in Sections 2-60, 2-70, and 2-80 of this Article.

E. Amend Article II, Section 2-40 of the Village of Youngstown Zoning Law by adding the underlined phrase Section 2-40.

2-40 Height Modifications

<u>For all districts with the exception of the Waterfront District and Waterfront Commercial District</u> and Waterfront Commercial 2 District the height limitations of this ordinance shall not apply to:

a. Chimneys, flues, spires or belfries.

b. Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures); provided that such structures, in the aggregate, do not occupy more than 10 percent of the roof area.

c. Flag poles, radio or television antennae, masts or aerials, located on a building and extending not more than 20 feet above the roof of such building.

F. Amend Article II of the Zoning Law of the Village of Youngstown by adding a new section 2-60, 2-70, and 2-80. The new section sshall be read as follows:

2-60 WATERFRONT DISTRICT

2-61 Purpose

The Niagara River shoreline has always played an important role in shaping the image of the Village and its economic as well as recreational base. This is especially true in the Water Street area where boating activities and water based recreation uses are concentrated.

Due to the limited land area available for uses which are dependent on a waterfront location it is important to designate the Waterfront District for such uses.

In addition, site plan review procedures have been designed to ensure that the specific details of waterfront development are thoroughly considered; that the environmental quality of the area is preserved; and that development is consistent with the Village's Local Waterfront Revitalization Program (LWRP).

2-62 Permitted Uses in the WD District

A. Boat launches, lifts, bulkheads
B. Flood and erosion protection structures
C. Public recreation,
D. Fishing docks
E. Marine Service, repair, and rental facilities
F. Private boat house
G. Yacht clubs
H. Marinas
I. Boat storage buildings
J. Accessory facilities to permitted uses including but not limited to restaurants, parking area for five or less cars, outdoor restroom, pool, snack bars and wall signs.

2-63 An approved site plan as described in Section 5-10 of this ordinance shall be required for any new use, addition or exterior alterations to those uses listed in Section 2-042C which meet or exceeds one or more of the following thresholds.

1. The activity requires at least five (5) parking spaces or loading docks, or any combination thereof which totals five (5) spaces or docks.

2. The activity increases the gross floor area, developed land areas, or any combination thereof by 25% or more.

3. The activity has a monetary value that is 10% more of the full value assessment of the property being improved.

2-64 Uses Existing Withing The Waterfront District On the Date of The Local Law Establishing Said District.

A. Uses which fall within the use categories listed in Sections 2-62, and which existed on the date of the local law establishing the Waterfront District do not require an approved site plan to continue.

B. Uses existing on the date of the local law establishing the Waterfront District which do not fall within the use categories listed in Sections 2-62 shall be non-conforming and subject to provisions of Article IV of the Zoning Ordinance.

2-65 Design Standards For Waterfront District

A. The height of buildings shall not exceed three stories.

B. Off street parking shall be provided as required in Article III of the Zoning Ordinance and as regulated in Sections 2-62, Article II of this ordinance.

C. Billboards, ground signs, roof signs, and projecting signs are prohibited.

D. All signs shall be integrated with the structure, its style, design, and architectural elements.

E. Neon signs and any other signs displaying flashing or visible moving elements are prohibited.

F. One wall sign shall be permitted on each wall for each non-residential use in a structure.

G. Wall signs shall not project more than twelve inches from the wall to which they are affixed.

H. Wall signs shall not extend above or beyond the wall in any direction and shall not extend above the bottom of the sill of second story windows or 15 feet above grade level.

I. Allowable total square footage of all sign areas shall not exceed 50% of the street frontage of the particular use said sign is affixed to.

J. While recognizing the small nature of the lots in the Waterfront District, new development, additions, or exterior alterations to existing development shall make efforts to incorporate landscaping into any improvements. This shall include buffering, parking areas, outdoor storage sites, and loading/unloading areas from public view.

K. New development shall be consistent with the maritime theme of the area, recognize the vehicle/parking limitations of the district by not overburdening Water street with new traffic and/or creating excessive parking areas, and respect the scenic nature of the district by not blocking views seen from the Constitution Park bluff and Waterfront Park or introducing distractive building elements such as garish

signs, or use of color schemes that are clearly out of character with the area.

L. Lighting shall be restrained in design and excessive brightness avoided.

M. Newly installed utility services, and service revisions necessitated by exterior alterations or additions, shall be underground.

N. Construction of erosion protection structures shall incorporate the following standards:

(1) All erosion protection structures shall be designed and constructed according to generally accepted engineering principles, which have demonstrated success or a likelihood of success in controlling long-term erosion. The protective measure must have a reasonable probability of controlling erosion on the immediate site for at least 30 years. Non Structural methods of erosion control shall however be given primary consideration.

(2) All material used in such structures shall be durable and capable of withstanding inundation, wave impacts, weathering, and other effects of storm conditions.

(3) The construction, modification or restoration of erosion protection structures shall not be likely to cause any measurable increase in erosion at the development site or other locations and prevent adverse effects to natural protective features, and existing erosion protection structures,

O. All other design requirements shall be determined during the site plan review process.

2-70 WATERFRONT COMMERCIAL 1 DISTRICT

2-71 Purpose

The existence of a significant natural feature such as the bluff along the Niagara River provides tremendous opportunities for public enjoyment of the harbor vista. The economic well being of the commercial corridor along Main Street is also linked to the protection of the vistas and bluff area. Those commercial uses which can maximize their location on the bluff by creating scenic vistas as part of the site design will increase retail activity along Main Street. This will have a spill over economic impact onto the establishments on the east side of the street as well.

Due to the proximity of the Main Street corridor to the boating activity at the River and adjacent State Parks it is a natural draw for tourists, boaters, fishermen, and other recreational enthusiasts. It is important that good site planning occur on Main Street to create an attractive shopping environment. This is given further importance due to the many older structures present along Main Street which lend a historic flavor to the area. Main Street also serves as a gateway to Fort Niagara State Park and therefore requires

sensitive treatment to insure that a welcome environment is conveyed to park visitors wishing to stop in the Village to eat or shop.

It is also important to give priority to commercial uses which can utilize a bluff location to increase sales and pedestrian traffic along Main Street.

2-72 Permitted Uses In the WC1 District

A. Restaurants
B. Ships Supply
C. Boutiques
D. Craft Studios
E. Professional Offices; except on the first floor of the building
F. Residential Use; except on the first floor of building
G. Village Inn
H. Parking as may be required under this ordinance or any other Village Ordinance or Local Law
I. Parkland
J. Antique Shops
K. Accessory Uses which are incidental to the above uses.

2-73 Site Plan Review

An approved site plan as described in Section 5-10 of this local law shall be required for any new development, additions, or exterior alterations to those uses listed in Section 2-72 which exceeds one or more of the thresholds listed in Section 2-63.

2-74 Uses Existing Within the Waterfront Commercial 1 Districts On the Date of the Local Law Establishing Said District

A. Uses which fall within the use categories listed in Sections 2-72 do not require an approved site plan to continue.

B. Uses existing on the date of the local law establishing the Waterfront Commercial 1 District which do not fall within the use categories listed in Sections 2-72 or shall be non-conforming and subject to provisions of Article IV of the Zoning Ordinance.

2-75 Design Standards for Waterfront Commercial 1 District

A. See design guidelines for Waterfront District - Section 2-65.

B. Facade improvements shall be consistent with the generally brick, wood frame, stonework, and clapboard siding features characteristic of the area.

C. The gross floor area for restaurants, boutiques, antique shops and professional and craft studios shall not exceed 4,000 square feet.

D. The massing and bulk of any new construction should be in harmony with adjacent buildings. The relationship of width to height of new structures shall be consistent with the ratio of the adjacent structures.

E. Color choice of new construction should be influenced by the surrounding development. The color of the new structure should not make it stand out.

F. Where building sites limit planting, the placement of trees in parking lots or other paved areas is encouraged.

2-76 Harborfront Vista Incentives

A. The Waterfront Commercial 1 District is on the west side of Main Street and the Board of Trustees may permit an additional story to the building height, or the maximum gross floor area for commercial uses may be increased up to a maximum of 5,000 square feet if the site plan or existing use currently includes one or more of the following:

1. Construction of an outdoor eating area overlooking the harbor which is open to the general public and provides a minimum eating capacity for fifteen (15) individuals.

2. Interior floor plan for commercial uses or restaurants is designed in a manner which maximizes the harbor vista through large, picture windows that cover a minimum of 60% of the building wall facing the harbor.

3. Construction of an outdoor retail area overlooking the harbor.

4. Construction of a small public viewing area on the lot which provides good vistas of the harbor and which is open to the general public. Such area must be a minimum of 200 feet.

WATERFRONT COMMERCIAL 2 DISTRICT

Purpose

The economic well being of the commercial corridor along Main Street is linked to the protection of the vistas and bluff area aling the Niagara River. Those commercial uses which can maximize their location on the bluff by creating scenic vistas as part of the site design will increase retail activity along Main Street. This will have a spill over economic impact onto the establishments on the east side of the street as well where the Waterfront Commercial 2 District is located.

Due to the proximity of the Main Street Corridor to the boating activity at the River and adjacent State Parks it is a natural draw for tourists, boaters, fishermen, and other recreational enthusiasts. It is important that good site planning occur on Main Street to create an attractive shopping environment. This is given further importance due to the many older structures present along Main Street whihc lend a historic flavor to the area. Main Street also serves as a gateway to Port Niagara State Park and therefore requires sensitive treatment to insure that a welcome environment is conveyed to Park visitors wishing to stop in the Village to eat or shop.

Permitted Uses in the WC2 District

A. Drug Stores
B. Convenient Food Stores
C. All uses listed in the Waterfront Commercial 1 District
D. Accessory uses to drug stores and convenient food stores
E. Bait/Tackle Shops

Site Plan Review

An approved site plan as described in Section 5-10 of this local law shall be required for any new development, additions, or exterior alterations to those uses listed in Section 2-__ and 2-72 which exceeds one or more of the thresholds listed in Section 2-63.

Uses Existing Within the Waterfront Commercial 2 District On the Date of the Local Law Establishing Said District

A. Uses which fall within the use categories listed in Sections 2-72 and do not require an approved site plan to continue.

B. Uses existing on the date of the local law establishing the Waterfront Commercial 2 District which do not fall within the use categories listed in Sections 2-72 or shall be non-conforming and subject to provisions of Article IV of the Zoning Ordinance.

Design Standards for Waterfront Commercial 2 District

A. See design guidelines for Waterfront District - Section 2-65.

B. Facade improvements shall be consistent with the generally brick, wood frame, stonework, and clapboard siding features characteristic of the area.

C. The gross floor area for restaurants, boutiques, antique shops and professional and craft studios shall not exceed 4,000 square feet.

D. The massing and bulk of any new construction should be in harmony with adjacent buildings. The relationship of width to height of new structures shall be consistent with the ratio of the adjacent structures.

E. Color choice of new construction should be influenced by the surrounding development. The color of the new structure should not make it stand out.

F. Where building sites limit planting, the placement of trees in parking lots or other paved areas is encouraged.

2-80 WATERFRONT BLUFF OVERLAY DISTRICT

2-81 Purpose

The most prominent natural feature within the Village is the steep bluff along the Niagara River shoreline. It provides numerous scenic vistas overlooking the harbor as well as Ontario, Canada and thus has significant value to Village residents residing, doing business, or recreating along the bluff area. The steep slope also provides erosion protection for property located atop the bluff. Such areas are prone to erosion which can be caused by the action of currents running along the shore, waves, and wind driven water and ice, as well as runoff of rain water, groundwater seepage and construction activities. The bluff protects shoreland and waterfront development by absorbing the often destructive energy of open water.

Preservation of the bluff is also important to protect the public safety and property interests along the west side of Main Street and Water Street. Construction on the bluff can cause soil slippage thereby endangering existing structures and the health and welfare of pedestrians along the bluff's base.

2-82 Map

The location and boundaries of the Waterfront Bluff Overlay District shall be delineated on an official Zoning Map on file in the Village Clerk's Office.

The bluff extends west of Main Street beginning at the south corporate limit with the Town of Porter and extends north to the north boundary of the R-15 zoning district west of Main Street. This is just south of the Villa Apartments. The waterward limit of a bluff is its intersection with a land area having a slope of 6% or less. Where no such land area exists the waterward limit is mean high water. The landward limit of the bluff is 10 feet east of the bluffs receding edge with the exception of the portion of the bluff between the north and south intersection of Water Street and Main Street. In said district the landward limit shall be the bluffs receding edge.

Where the Waterfront Bluff Overlay District overlays any primary zoning district delineated on the Official Zoning Map of the Village of Youngstown, the requirements of the overlay district shall be met in addition to any requirements specified for development in the respective primary zoning district.

2-83 Allowed Activities

Activities allowed in the Waterfront Bluff Overlay District are those listed within the primary zoning district which the B District overlays.

2-84 Design Standards For Activities within the Waterfront Bluff Overlay District

a. Activities shall retain natural vegetation and trees to the maximum extent practicable in order to create the least erosion potential and handle adequately the volume and rate of velocity of surface run-off, and to screen the bluff face and provide a natural appearance to the Village's shorefront.

b. Disturbed soils shall be stabilized and revegetated or seeded as soon as practicable following construction.

c. In no case shall stormwater be diverted to another property either during site preparation or after development.

d. Trails and walking paths shall be sited and constructed so they are not a source of sediment.

e. Erosion protection structures shall be constructed to minimize downstream impacts and shall not increase offsite flooding or erosion.

f. Activities shall be sited in such a manner so as not to block existing views off Main Street and where possible increase viewing opportunities for pedestrians on nearby public spaces.

g. Activities shall be designed and sited in a manner which promotes attractive views of the natural and built environment as seen from the slope base and Niagara River.

h. Activities shall be sited in an unobtrusive manner in terms of scale, height, colors, and location so as to blend in with the natural landscape and maintain the existing views of the bluff as seen from the Niagara River.

i. Erosion control structure design standards are defined in Section 2-65, paragraph N .

j. Construction shall only occur on soils which contain adequate load bearing capacities as determined by the Village Engineer, and generally accepted engineering standards.

k. With the exception of stairways, erosion protection structures, and minor structures, construction shall not be permitted on land having an average slope of 40% or greater. The average shall be determined by using slope calculations taken at 10 foot intervals within the proposed land area.

G. Amend Article III, Section 3-00 of the Zoning Law of the Village of Youngstown by adding the following underlined words to paragraph (c) of sub-section 3-01 Dwellings "(C) Tourist home, hotel, motel, rooming or lodging house, Village Inn".

H. Amend Article III of the Zoning Law of the Village of Youngstown by adding the following underlined items.

3-312 Group Facilities

In any C, W or WC1 or WC2 District, required off-street parking spaces may be provided in group parking facilities designed to serve two or more buildings or uses on different lots, provided that:

(a) The total parking spaces in such group facility shall not be less than the sum of the requirements for the various uses computed separately, and

(b) All required parking spaces shall be not more than 600 feet from the boundary of the lot on which such buildings or uses are located.

I. Amend Article VIII of the Zoning Law of the Village of Youngstown by adding the following definitions.

39. Story - That portion of a building between the surface of any finished floor and the surface of the finished floor next above it, or if there is no floor above it, then the space between any floor and the ceiling next above it. The following shall not be deemed a story:

a) A basement or cellar if the finished floor level directly above is not more than six feet above the average adjoining elevation of finished grade.

b) Any attic or similar space under a gable or roof in which the exterior roof line is not more than four feet above the floor of such space.

53. Local Waterfront Revitalization Program (LWRP) - The local program to implement the New York Coastal Management Program within the Village as approved by the Secretary of State pursuant to the Waterfront Revitalization and Coastal Resources Act of 1981.

54. Bluff - See Article II, Section 2-62 of this ordinance.

55. Village Inn - A building in which at least three but not more than twelve rooms are offered for rent to tourists or overnight guests. Other rooms typically found in residential homes such as living room and kitchens are often included within the Inn for shared use by Inn guests. Restaurants facilities may or not be incorporated into the building.

56. Restaurant: Fast Food - An establishment where food and/or beverages are sold in a form ready for consumption and where, by design or packaging techniques, all or a significant portion of the consumption can or does take place outside the confined of the building, often in a motor vehicle on the site.

57. Restaurant - An establishement where food and beverages are prepared, served and intended to be consumed within the principal

building or outside patio and where such food and beverages are not primarily packaged for removal by the customer.

58. Ships Supply - A small retail store specializing in accessory items for use on recreational watercraft. Such items might include life preservers, compasses, maps, and similar materials. Replacement equipment for engine parts and the body of the watercraft are not sold in these establishements.

59. Boutiques - A small retail establishment specializing in fashionable clothing and accesories, or gifts.

60. Convenient Food Stores - A small retail establishment which sells a limited supply of food and drink items, contains a maximum of two (2) checkout areas, and does not provide grocery carts for customer use.

61. Developed Land Area - Land which is occupied by either structures, parking lots, outdoor storage areas, landscaped improvements, recreation areas, or any combination thereof.

62. Minor Structure - Small structures, usually accessory to a principal use, which either have no foundations or are supported by posts. Said posts shall not exceed a 14" circumference and the distance between the lowest ground elevation and supporting structure shall not exceed 3 feet. Examples of minor structures include decks, cabanas, and patios.

63. Signs

(a) Ground Sign - Those signs which are affixed to the ground and not attached to a building.

(b) Roof Sign - a sign which is erected, constructed, or maintained on, partly above or as part of the roof of any building.

(c) Projecting Sign - Sign which is affixed to an exterior wall of the structure extending in a perpendicular direction.

(d) Wall Sign - A sign which is affixed to an exterior wall of a structure.

64. Boathouse - A structure built partly over water for the housing or storing of a maximum of two recreational boats, with accommodations for gear or general storage.

I. Amend Article V of the Zoning Law of the Village of Youngstown by adding a new section 5-10 as follows:

5-10 SITE PLAN REVIEW

5-11 Site Plan Submittal

A site plan must be submitted for all:

A. Residential Developments which contain (3) or more dwelling units. However, any residential development which requires the subdivision of land or which is proposed for construction within a previously approved subdivision pursuant to the Village of Youngstown subdivision regulations does not require a site plan.

B. New business or commercial development or exterior alteration to existing business, commercial or industrial establishments which meet or exceeds one or more of the following thresholds.

(1) The gross floor area, developed land area, or any combination thereof increases by 25% or more.

(2) Five or more parking spaces or loading docks or any combination thereof which totals five (5) spaces or docks.

(3) The value of the land and building improvements meets or exceeds $10,000.

C. New development, additions to any existing use, or exterior alterations in the Waterfront Commercial 1 District or Waterfront Commercial 2 District, or Waterfront District which exceeds one or more of the thresholds listed in section 5-11(B).

D. New development, or additions to any existing use within the Bluff Overlay District except for minor structures, walkways, stairways, and small sheds to store boating supplies not to exceed 75 square feet in gross floor area.

5-12 Site Plan - Required Information

The content of the site plan shall be approved by the building Inspector prior to filing. The approved submission shall be filed with the Village Clerk who, upon payment of the required fees, shall transmit it to the Building Inspector for distribution to officials and agencies as he may deem appropriate for their review, report and recommendation. Unless otherwise noted, the site plan shall include the following information prepared by a licensed Engineer, Architect, Landscape Architect, Surveyor or Attorney as appropriate. The number of copies shall be determined by the Building Inspector.

A. Title of drawing, including name of development, name and address of applicant and person who prepared the drawing.

B. North point, scale and date.

C. A survey plotted to scale of the proposed development including its acreage and a legal description thereof.

D. The location and names of existing and proposed streets and sidewalks immediately adjoining and within the proposed site.

E. Layout, number and dimension of lots.

F. Location, proposed use, height and floor plan of all non-residential and all residential structures containing three (3) or more dwelling units, location of all parking, loading and stacking areas with access drives.

G. Location and proposed development of all open spaces including parks, playgrounds, and open reservations.

H. Existing and proposed water courses and direction of flow.

I. Topographic map and drainage plan showing existing and finished grades, engineering calculations and the impact on the surrounding area. Slope calculations at 10 foot intervals, for existing grades, shall be provided for proposed development within the Bluff Overlay District.

J. Water supply plan including location of fire hydrants.

K. Paving, including typical cross sections and profiles of proposed streets, pedestrian walkways, bikeways and parking lots.

L. Sewerage disposal plans.

M. A landscape plan indicating location, type and size of existing trees, and vegetation, identifying those to be preserved; and location, type and size of trees, vegetation and other amenities to be provided.

N. Location and design of lighting facilities, fences, walls and signs.

O. Location, and dimension of all signs.

P. Proposed easements, restrictions, covenants and provisions for homeowners association and common ownership, if required.

Q. Land and building improvement cost.

R. Upon the request of the Board of Trustees the applicant shall prepare and submit, to the satisfaction of the Board, a market feasibility study for the proposed use. Said study shall be prepared by a professional market consultant with experience in development economics.

S. Upon the request of the Board of Trustees, the applicant shall prepare and submit, to the satisfaction of the Board, soil boring information especially for those activities proposed within the Bluff Overlay District.

5-13 Site Plan Review and Fees Required

A. The Building Inspector shall review the site plan to insure it is in conformance with this ordinance, and all other applicable laws. Thereafter he shall forward the plan to the Board of Trustees for referral within fifteen (15) days to the Planning Board, Village Engineer, and other agencies for review as appropriate.

B. Upon acceptance of the site plan as completed by the Building Inspector, the applicant shall submit a fee within two days to the Village Clerk equal to .25% of the total building and land improvement cost up to a maximum of $2,000.00.

C. Within thirty (30) days of its receipt of the application for site plan approval from the Board of Trustees, the agencies shall review it and notify the Board of Trustees in writing of its comments or recommendations.

D. Within sixty (60) days of its receipt of the application for site plan approval, the Board of Trustees shall act on it and notify the Planning Board, Building Inspector, Village Clerk and applicant of its action. This time period may be extended by the Board of Trustees or by written request of the applicant. In determining its action the Board of Trustees may conduct a public hearing if deemed appropriate. The Board of Trustees action shall be in the form of a written report of approval or disapproval of the site plan. In approving the site plan, the Board of Trustees may impose conditions limiting the use and the occupancy of the land or proposed buildings consistent with the intent and purposes of the Zoning Ordinance. If the Board of Trustees disapprove, it shall state its reasons.

E. Except for subdivisions that have been duly filed in the Office of the County Clerk, if construction of the approved development has not commenced within two (2) years from the time of site plan approval, that approval shall be deemed revoked. Extensions of this period may be granted by the Board of Trustees.

F. The Board of Trustees review of the site plan shall include, but not be limited to, the following general considerations:

(1) Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.

(2) Adequacy and arrangement of vehicular traffic, access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.

(3) Location, arrangement, appearance and sufficiency of off-street parking and loading.

(4) Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

(5) Adequacy of stormwater and drainage facilities.

(6) Adequacy of water supply and sewage disposal facilities.

(7) Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the development parcel and adjoining lands, including the maximum retention of existing vegetation.

(8) Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.

(9) Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

(10) Use of proper and adequate screening devices between parking and service areas viewed from public roads or public parklands.

(11) Consistency between the site plan and the Village's adopted LWRP.

(12) Quality and adequacy of views from those scenic vistas descri bed in Policy 25A of the Village's adopted LWRP.

(13) Attractiveness of the proposed use or structure(s) as viewed from the Niagara River.

(14) Adequacy of design and function of waterfront improvements such as bulkheads, docking facilities, launch ramps and sea walls.

(15) For development within the Waterfront or Waterfront Commercial Zoning District compliance with the design standards listed in sections 2-65 and 2-76 respectively of this ordinance.

(16) For development within the Waterfront Bluff Overlay District compliance with the provisions of Section 2-041F of this ordinance.

K. Severability

If any clause, sentence, paragraph, or part of this local law or application thereof to any person or circumstances shall be adjudged by any court to be invalid, such judgment shall not affect, impair, or invalidate the reaminder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph, or part thereof and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

L. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

ATTACHMENT B

LOCAL CONSISTENCY LAW

AND COASTAL ASSESSMENT FORM

LOCAL CONSISTENCY LAW FOR THE VILLAGE OF YOUNGSTOWN

This Local Waterfront Revitalization Program (LWRP) Consistency Law for the Village of Youngstown, N.Y. requires all Type 1 and Unlisted actions (as defined by the State Environmental Quality Review Act (SEQRA) implementing regulations) that would be directly undertaken, approved, or funded by the Village to be reviewed by the Board of Trustees for consistency with the Village of Youngstown LWRP.

ARTICLE I. - GENERAL PROVISIONS

Section 1.1 - TITLE

This local law shall be known and may be cited as the Village of Youngstown LWRP Consistency Law.

Section 1.2 - PURPOSE

The purpose of this local law is to provide for the protection and beneficial use of the natural and man-made resources within the Village of Youngstown waterfront area by ensuring that certain actions to be undertaken, approved, or funded by the Village will be undertaken in a manner consistent with the policies and purposes of the Village of Youngstown Local Waterfront Revitalization Program. The consistency review, while triggered by SEQRA, is a free standing review conducted by the Board of Trustees.

Section 1.3 - AUTHORITY

This law is adopted under Section 10 of the Municipal Home Rule Law and Article 42 of the Executive Law.

Section 1.4 - APPLICABILITY

All agencies of the Village of Youngstown shall comply with this local law, prior to directly undertaking, approving, or funding any action within the waterfront area when such action is classified as Type I or Unlisted under Part 617 or Title 6 of the official compilation of Codes, Rules and Regulations of the State of New York.

Section 1.5- SEVERABILITY

The provisions of this local law are severable. If any part of this local law is found invalid, such findings will apply only to the particular provision and circumstances in question. The remainder of this local law, and the application of the disputed provision to other circumstances, will remain valid.

Section 1.6 - DEFINITIONS

(a) "Action" means either a "Type I" or "Unlisted" action as defined in SEQR regulations at NYCRR 617.2.

(b) "Consistent" means the action will be fully in compliance with and will not hinder any of the Village of Youngstown LWRP Policy standards and conditions.

(c) "EAF" means Environmental Assessment Form as defined at 6NYCRR 617.2 (l).

(d) "EIS" means Environmental Impact Statement as defined at 6NYCRR 617.2 (m).

(e) "Local Waterfront Revitalization Program (LWRP)"means the local program to implement the NYS Coastal Management Program within the Village of Youngstown approved by the Secretary of State pursuant to the Waterfront Revitalization and a Coastal Resources Act of 1981 (Article 42 of the Executive Law of New York State), a copy of which is on file in the office of the clerk of the Village of Youngstown.

(f) "Part 617" means the State Environmental Quality Review Regulations. (Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York).

(g) "SEQR" means the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, which is Chapter 43-b of the Consolidated Laws of the State of New York).

(h) "Village" means the Village of Youngstown.

(i) "Village Agency" means any board, department, office, other bodies or officers of the Village of Youngstown.

(j) "Board of Trustees" means the Board of Trustees of the Village of Youngstown.

(k) "CAF" means Coastal Assessment Form as adopted by the Village.

(l) "Waterfront Area" means that portion of the New York State Coastal Area within the Village of Youngstown as delineated in the Village of Youngstown Local Waterfront Revitalization Program.

(m) All other terms for which definitions are given in SEQR and/or Part 617 shall have the same meanings in this local law.

(n) "Planning Board" means the Village of Youngstown Planning Board.

ARTICLE II - CONSISTENCY REVIEW PROCEDURES

Section 2.1 - INITIAL REVIEW

2.1.1 As early as possible in the formulation of Type I or an Unlisted action, the agency shall prepare a Coastal Assessment Form (CAF) to assist with the consistency review, however, when an applicant submits an application to a Village agency for an approval of an action, the applicant shall prepare a CAF.

The Board of Trustees or a Village agency when proposing to undertake, approve, or fund a Type I or Unlisted action in the waterfront area, shall prepare or cause to be prepared a Waterfront Assessment Form (WAF) for the proposed action. Following the preparation of an Environmental Impact Statement or the issuance of a negative declaration pursuant to SEQR, a Village agency shall refer the WAF, and Environmental Impact Statement (EIS) or other pertinent information for that action to the Board of Trustees for review and determination regarding the action's consistency with the policies and purposes of the LWRP.

Section 2.2 - CONSISTENCY DETERMINATION

2.2.1 Prior to its undertaking, approving, or funding of a proposed Type I or Unlisted action in the waterfront area, and for each action referred by a Village agency pursuant to section 2.1, the Board of Trustees shall either:

(a) Determine that the action will not substantially hinder achieving the LWRP Policy Standard and conditions; or

(b) Determine that the action will substantially hinder achieving the LWRP standards and conditions

(c) If the Board of Trustees determines that the action will cause a substantial hindrance to the achievement of the LWRP policy standards and conditions, such action will not be undertaken unless the Village Board determines with respect to the proposed project that:

1. no reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policy standards and conditions;

2. the action would be undertaken in a manner which will minimize all adverse affects on such LWRP policy standards and conditions to the maximum extent practicable; and

3. the action will result in an overriding village, regional or statewide public benefit.

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

2.2.2 The Board of Trustees shall complete its review of the proposed action's consistency and prepare a written finding to the referring Village agency within thirty (30) days of the referral date. The Board of Trustees may refer such actions for review to any municipal agency. Such agencies include but are not limited to the Village Attorney, Department of Public Works, and Planning Board.

2.2.3 The written findings of the Board of Trustees shall be filed with the Village Clerk before the action is undertaken, approved, or funded.

2.2.4 No action shall be undertaken, approved, or funded unless the Board of Trustees, determines its consistency with the general intent of the LWRP by a finding pursuant to either 2.2.1(a) or 2.2.1(b) above.

Section 3.1 EFFECTIVE DATE

This local law shall take effect immediately after the following have both occurred:

1. Approval of the Village of Youngstown Local Waterfront Revitalization Program by the Secretary of State in accordance with Article 42 of the Executive Law of New York State, and

2. Filing of the local law in the office of the Secretary in accordance with Section 27 of the Municipal Home Rule Law.

VILLAGE OF YOUNGSTOWN

WATERFRONT ASSESSMENT FORM

(a) Applicants shall complete this assessment form for actions which are subject to the Village of Youngstown Local Consistency Law. This assessment is intended to supplement other information used by the Village of Youngstown in making determinations of significance pursuant to the New York State Environmental Quality Review Law. If it is determined that an action will not have a significant effect on the environment, this assessment is intended to assist the Village in arriving at their decision as to consistency as required by Section 2.2 of Local Law No. 2 of 1989 (Local Consistency Law).

(b) If any question in subsection (e) on this form is answered "yes" then the proposed action may affect the achievement of the coastal policies contained in the Village of Youngstown Local Waterfront Revitalization Program. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (1) making a determination of consistency pursuant to Section 2.2 of Local Law No. 2 of 1989 or (2) if the action is one for which the findings required thereunder. If an action cannot be determined as consistent with the general intent of the LWRP, it shall not be undertaken.

(c) Before answering the questions in subsection (e), the preparer shall review the coastal policies as explained in the Village of Youngstown Local Waterfront Revitalization Program. Actions should be evaluated as to their beneficial and adverse effects upon the coastal area.

(d) Description of Action

1. Type of Action

----------(a) Directly undertaken, pursuant to:_____
_____(b) Funding pursuant to: _____
_____(c) Permit(s), pursuant to: _____
_____(d) Planning activity(ies), pursuant to: _____
_____(e) Rule, regulation, procedure, policy-making, pursuant to: _____
_____(f) Construction, alteration of structure(s) _____

_____

2. Location of Action; fill in blank(s) as applicable:

_____
Applicant

3. Anticipated State Date of Action _____
Month/Day/Year

4. Will the action require funding, and/or approval by a federal agency(ies)? If yes, which federal agency(ies)? _____

_____

(e) Coastal Assessment YES NO

1.	Will the action result in a large physical change to a site or physically alter more than 20,000 square feet of land if said land is located west of Main Street, or five acres if elsewhere within the Village?	_____	_____
2.	Will the action have any significant visual effect upon the bluff or Youngstown Harbor as viewed from Constitution Park, or Waterfront Park?	_____	_____
3.	Will the action significantly affect existing development of future water-dependent uses?	_____	_____
4.	Will the action require new of expanded public services or infrastructure into undeveloped or low density areas of the Village?	_____	_____
5.	Does the action involve an energy facility not subject to Article VII or VIII of the New York State Public Service Law?	_____	_____
6.	Will the action be located in or significantly affect development on the bluff west of Main Street that functions as a natural protection feature against erosion?	_____	_____
7.	Does the action involve mining, excavation or dredging within the Niagara River?	_____	_____
8.	Will the action result in a reduction of existing or potential public access to or along the shore?	_____	_____
9.	Does the action involve the sale or change in use of publicly-owned lands adjacent to the coastline?	_____	_____
10.	Will the action affect existing or potential recreation opportunities?	_____	_____

If you answered yes to one or more questions in subsection (e) on this form, briefly and precisely describe the nature and extent of the proposed action in the space below, and submit a copy to:

Office of the Mayor
Youngstown Village Hall
PO Box 168
240 Lockport Street
Youngstown, NY 14174

Preparer's Name: _____ Telephone No.: _____

Organization: _____ Date: _____

ATTACHMENT C

PROCEDURES FOR LOCAL REVIEW OF PROPOSED STATE AND FEDERAL ACTIONS

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are in Effect

I. PURPOSES OF GUIDELINES

A. The Waterfront Revitalization and Coastal Resources Act (Article 42 of the Executive Law) and the Department of State's regulations (19 NYCRR Part 600) require certain state agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of approved Local Waterfront Revitalization Programs (LWRPs). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.

B. The Act also requires that state agencies provide timely notice to the situs local government whenever an identified action will occur within an area covered by an approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist local governments in carrying out their review responsibilities in a timely manner.

C. The Secretary of State is required by the Act to confer with state agencies and local governments when notified by a local government that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

II. DEFINITIONS

A. Action means:

1. A "Type 1" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQR);

2. Occurring within the boundaries of an approved LWRP; and

3. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the LWRP.

B. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of an approved LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of an approved LWRP, then the action must be one:

1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;

2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and

3. That will result in an overriding regional or statewide public benefit.

C. Local Waterfront Revitalization Program or LWRP means a program prepared and adopted by a local government and approved by the Secretary of State pursuant to Executive Law, Article 42; which program contains policies on the management of land, water and man-made resources, proposed land uses and specific projects that are essential to program implementation.

III. NOTIFICATION PROCEDURE

A. When a state agency is considering an action as described in II above, the state agency shall notify the affected local government.

B. Notification of a proposed action by a state agency:

1. Shall fully describe the nature and location of the action;

2. Shall be accomplished by use of either the State Clearinghouse, other existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and local government;

3. Should be provided to the local official identified in the LWRP of the situs local government as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the action. (The timely filing of a copy of a completed Coastal Assessment Form with the local LWRP official should be considered adequate notification of a proposed action.)

C. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the chief executive officer can serve as the state agency's notification to the situs local government.

IV. LOCAL GOVERNMENT REVIEW PROCEDURE

A. Upon receipt of notification from a state agency, the situs local government will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon request of the local official identified in the LWRP, the state agency should

promptly provide the situs local government with whatever additional information is available which will assist the situs local government to evaluate the proposed action.

B. If the situs local government cannot identify any conflicts between the proposed action and the applicable policies and purposes of its approved LWRP, it should inform the state agency in writing of its finding. Upon receipt of the local government's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

C. If the situs local government does not notify the state agency in writing of its finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the municipality's approved LWRP.

D. If the situs local government notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in V below shall apply. The local government shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the local government shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

V. RESOLUTION OF CONFLICTS

A. The following procedure applies whenever a local government has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP.

1. Upon receipt of notification from a local government that a proposed action conflicts with its approved LWRP, the state agency should contact the local LWRP official to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and local government representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the local government.

2. If the discussion between the situs local government and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the situs local government shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. The state agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

3. If the consultation between the situs local government and the state agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary within 15 days following the discussion between the situs local government and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.

4. Within 30 days following the receipt of a request for assistance, the Secretary or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and situs local government.

5. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.

6. The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

Procedural Guidelines for Coordinating NYS DOS & LWRP
Consistency Review of Federal Agency Actions

DIRECT ACTIONS

1. After acknowledging the receipt of a consistency determination and supporting documentation from a federal agency, DOS will forward copies of the determination and other descriptive information on the proposed direct action to the program coordinator (of an approved LWRP) and other interested parties.

2. This notification will indicate the date by which all comments and recommendations must be submitted to DOS and will identify the Department's principal reviewer for the proposed action.

3. The review period will be about twenty-five (25) days. If comments and recommendations are not received by the date indicated in the notification, DOS will presume that the municipality has "no opinion" on the consistency of the proposed direct federal agency action with local coastal policies.

4. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the municipality to discuss any differences of opinion or questions prior to agreeing or disagreeing with the federal agency's consistency determination on the proposed direct action.

5. A copy of DOS' "agreement" or "disagreement" letter to the federal agency will be forwarded to the local program coordinator.

PERMIT AND LICENSE ACTIONS

1. DOS will acknowledge the receipt of an applicant's consistency certification and application materials. At that time, DOS will forward a copy of the submitted documentation to the program coordinator and will identify the Department's principal reviewer for the proposed action.

2. Within thirty (30) days of receiving such information, the program coordinator will contact the principal reviewer for DOS to discuss: (a) the need to request additional information for review purposes; and (b) any possible problems pertaining to the consistency of a proposed action with local coastal policies.

3. When DOS and the program coordinator agree that additional information is necessary, DOS will request the applicant to provide the information. A copy of this information will be provided to the program coordinator upon receipt.

4. Within thirty (30) days of receiving the requested additional information or discussing possible problems of a proposed action with the principal reviewer for DOS, whichever is later, the program coordinator will notify DOS of the reasons why a proposed action may be inconsistent or consistent with local coastal policies.

5. After that notification, the program coordinator will submit the municipality's written comments and recommendations on a proposed permit action to DOS before or at the conclusion of the official public comment period. If such comments and recommendations are not forwarded to DOS by the end of the public comment period, DOS will presume that the municipality has "no opinion" on the consistency of the proposed action with local coastal policies.

6. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality on a proposed permit action, DOS will contact the program coordinator to discuss any differences of opinion prior to issuing a letter of "concurrence" or "objection" letter to the applicant will be forwarded to the program coordinator.

7. A copy of DOS' "concurrence" or "objective" letter to the applicant will be forwarded to the program coordinator.

FINANCIAL ASSISTANCE ACTIONS

1. Upon receiving notification of a proposed federal financial assistance action, DOS will request information on the action from the applicant for consistency review purposes. As appropriate, DOS will also request the applicant to provide a copy of the application documentation to the program coordinator. A copy of this letter will be forwarded to the coordinator and will serve as notification that the proposed action may be subject to review.

2. DOS will acknowledge the receipt of the requested information and provide a copy of this acknowledgement to the program coordinator. DOS may, at this time, request the applicant to submit additional information for review purposes.

3. the review period will conclude thirty (30) days after the date on DOS' letter of acknowledgement or the receipt of requested additional information, whichever is later. The review period may be extended for major financial assistance actions.

4. The program coordinator must submit the municipality's comments and recommendations on the proposed action to DOS within twenty days (or other time agreed to by DOS and the program coordinator) form the start of the review period received within this period, DOS will presume that the municipality has "no opinion" on the consistency of the proposed financial assistance action with local coastal policies.

5. If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the municipality, DOS will contact the program coordinator to discuss any differences of opinion or questions prior to notifying the applicant of DOS' consistency decision.

6. A copy of DOS' consistency decision letter to the applicant will be forwarded to the program coordinator.

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