

**CITY OF POUGHKEEPSIE**

**LOCAL WATERFRONT REVITALIZATION PLAN**

**SECTION III**

**STATE AND LOCAL POLICIES**

### SECTION III: STATE AND LOCAL POLICIES

This section includes 44 policies which address a wide range of coastal development, scenic and historic resource preservation, public access, air and water quality, and erosion and flood management controls. An in-depth explanation of each local policy is also provided.

#### DEVELOPMENT POLICIES

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

**POLICY 1A** VACANT AND UNDEVELOPED CITY-OWNED WATERFRONT PROPERTY INCLUDING NORTHERN WARYAS, THE DELAVAL PROPERTY, AND THE OLD SEWAGE TREATMENT PLANT SHOULD BE DEVELOPED FOR RECREATION, CULTURAL, TOURISM AND COMPATIBLE COMMERCIAL USES.

**POLICY 1B** ANY DEVELOPMENT OF THESE PROPERTIES SHALL PROCEED IN CONFORMANCE WITH THE FOLLOWING GUIDELINES:

1. Development must improve the existing economic base of the City, concentrating on recreational, commercial and entertainment activities that serve residents of Poughkeepsie and Dutchess County and also develop tourism potential.
2. Public access to the water's edge and recreation opportunities must be an integral part of any development of the site, including provision of a public walkway along the River. In addition to the walkway, other public open space must also be provided such as sitting areas, view points, places to fish and the like. Landscaping to create a visually attractive setting as well as variety should be part of the open space in addition to, as appropriate, public park space, sitting areas and/or lookouts.
3. Development should include a variety of mixed uses which will provide the opportunity for the activity at that location to attract people, both day and night.
4. Activities on the site should appeal to a variety of age groups and economic levels.
5. Vistas of the River and western banks from the site must be protected and maintained. Views identified in Policy 25 and on Map 9 must be preserved.
6. Development should function as a way of linking waterfront properties and creating a Greenway extending from DeLaval north to the Fallkill Creek and south to Poughkeepsie Cemetery, where possible.

7. Linkages to the rest of the City, in particular to the Main Mall and the rail station, should be established.

Explanation of Policies:

The three sites referenced in this policy are City-owned parcels that presently are underutilized and/or undeveloped. They offer potential both for creative private investment which would provide economic benefits to the City and for public enjoyment and usage. A mix of public and private activities is envisioned on northern Waryas, DeLaval and the old Sewage Treatment Plant (STP) with public recreation usage as a primary focus.

- Northern Waryas (GSA# 2.3) is a 5.8 acre parcel just north of Waryas Park at the foot of Main Street and just beyond the public boat launch. While dedicated parkland, this parcel has not been developed for this purpose but rather is used as an impromptu parking lot. The City's Transportation Strategy recommends that the eastern portion of northern Waryas along North Water Street has the potential to be developed for a variety of private uses including restaurants, shops and residences above the first floor.
- DeLaval site (GSA# 4.1) is a 13.4 acre parcel of land just south of the abandoned sewage treatment plant. The land was acquired with State Funds which call for public recreation use. The DeLaval site is particularly well-suited to water enhanced uses. The thirteen acre site and adjacent parcels could support a variety of complementary public and private uses which would provide significant economic benefits to the City, as well as increase waterfront access and recreation. Water enhanced uses such as restaurants, conference facilities, entertainment venues, and shops and water dependent uses such as a marina and walkway along the river would provide complementary tourist-related activities.

Given the size of the DeLaval site and its length of shoreline, not all of the shoreline is necessary for water dependent uses. In developing the site plan, some uses may be located over the water provided an adequate area remains for a future marina development, and all navigational and environmental effects are addressed.

- Former Sewage Treatment Plant (GSA# 3.11) is a 7.1 acre parcel of land adjacent to the DeLaval site. Reuse of this parcel may be limited because of a large number of underground utility lines in the land surrounding the plant. A potential reuse for the STP could include an aquarium or fish hatchery.

The opportunity exists to develop any or all of these sites, as interest and finances permit, for a variety of recreation and entertainment oriented public and private activities that appeal not only to City residents but also bring people in from throughout the region and beyond. Priority consideration should be given to any or some combination of the following: museum, waterfront festival facilities, conference center, docking facilities for tour boats and other boat users, and tourism related retail activities including restaurants. Residential housing potentially could be a use

on these sites in conjunction with other mixed uses as provided in this paragraph and the Waterfront District zoning, except at the DeLaval site.

See also applicable Policies 13, 19, 21 and 25 which include provisions regarding public access and view preservation.

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

POLICY 2A FACILITATE THE SITING OF WATER DEPENDENT USES AND FACILITIES RELATED TO BOTH COMMERCIAL AND RECREATIONAL FISHING ON OR ADJACENT TO COASTAL WATERS, WHERE APPROPRIATE.

#### Explanation of Policies:

Currently the few water dependent uses that use the Poughkeepsie waterfront do not require extensive shoreline or water surface. If there is an increase in demand for water dependent uses, there is adequate shoreline and surface water available for reasonably foreseeable water dependent uses to allow a portion of the water surface adjacent to the DeLaval side to be used for water enhanced uses.

#### Water Dependent Uses

The following uses and facilities are considered desirable as water-dependent in the City of Poughkeepsie:

1. Uses which depend on the utilization of resources found in coastal waters (for example: fishing, mariculture activities) ;
2. Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the river/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities);
4. Flood and erosion protection structures (for example: breakwaters, bulkheads);
5. Facilities needed to store and service boats and ships (for example, marinas, boat repair, boat construction yards);

6. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near shipping facilities be obtained (for example: lumber imports);
7. Scientific/educational activities which, by their nature, require access to coastal waters (for example: certain meteorological and Hudson River ecosystem studies);
8. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water dependent use, they should, as much as possible, be sited inland from the water dependent use rather than on the shore.

In the siting of water-dependent uses, the following guidelines should be used.

1. Most water-dependent uses, if they are to function effectively, will require basic public facilities and services. Water, sewer, transportation, and navigation must be adequate.
2. Water-dependent uses should be located so that they enhance, or at least do not detract from, the surrounding community. Consideration should also 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 and adjacent uses can serve to complement one another. Water-dependent uses must also be sited so as to avoid adverse impacts on the significant coastal resources.

#### Water Enhanced Uses

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water dependent uses. A water-enhanced use is defined as a use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront.

Priority will be given to water enhanced uses which more directly complement the other goals for the waterfront area as expressed in this LWRP. Such water-enhanced activities must be in accordance with local policies regarding scenic resources (Policy 25) and erosion (Policies 14 through 17). Priority will be given to water enhanced uses that include public recreational access as part of the use proposed for property along the immediate riverfront (Policies 19 through 22) or promote the type of mixed use tourist-related development that includes recreational access as described in Policy 1.

**POLICY 3                    FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY, AND ENCOURAGE**

THE SITING, IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO OR IN SUPPORT OF THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE.

Explanation of Policy:

Not applicable. The City of Poughkeepsie is not located in or near any of the above referenced major ports.

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

Explanation of Policy:

This policy recognizes that traditional activities occurring in and around smaller harbors contribute much to the economic strength and attractiveness of communities. The City of Poughkeepsie has a long history as a commercial port. Although little remains of the actual facilities of the harbor which served the once vibrant commercial river traffic that vitalized Poughkeepsie, the City has never lost its identification as a river community. This policy seeks to encourage this identity and activities related to the recreational and commercial use of the Hudson River.

Efforts shall center on promoting such desirable activities as mixed-use water-oriented developments, fishing, historic preservation, cultural pursuits, riverfront festivals, and other compatible activities which have made the waterfront appealing.

The following guidelines shall be used in determining consistency:

1. Priority shall be given to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the water. In particular, mixed use development which offers an opportunity to develop water-dependent or enhanced activities should be encouraged (See Policies 1, 2, and 22).
2. The action will enhance existing traditional and/or desired anticipated uses.
3. The action shall not be out of character with, nor lead to development which would be out of character with, existing development in terms of the area's scale, intensity of use, and architectural style.

4. The action must not cause a site to deteriorate, e.g., a structure shall not be abandoned without protecting it against vandalism and/or structural decline.

POLICY 5                    ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.

POLICY 5A                EVALUATE PROPOSED DEVELOPMENT WITHIN THE WATERFRONT AREA FOR TRAFFIC IMPACT, PARTICULARLY ALONG NORTH WATER STREET AND PINE STREET AND EVALUATE THE POSSIBILITY OF EXPANDING CARRYING CAPACITY OF THESE ROADWAYS, IF NECESSARY.

POLICY 5B                ACCESS TO THE INDUSTRIAL AREAS IN THE NORTHERLY AND SOUTHERLY PORTIONS OF THE CITY'S WATERFRONT SHOULD BE IMPROVED TO ENABLE SERVICE VEHICLES TO GAIN ACCESS TO PRIVATE INDUSTRIES DIRECTLY FROM ROUTE 9 WITHOUT ADDING CONGESTION TO THE RECREATIONAL AND RESIDENTIAL AREAS IN THE CENTER OF THE WATERFRONT DISTRICT.

POLICY 5C                ENCOURAGE GREATER UTILIZATION OF MASS TRANSIT FACILITIES AVAILABLE IN THE CITY OF POUGHKEEPSIE AND EVALUATE PROPOSED DEVELOPMENT RELATIVE TO ITS NEED FOR ACCESS TO PUBLIC MASS TRANSIT.

POLICY 5D                EVALUATE PROPOSED WATERFRONT DEVELOPMENTS FOR THE POTENTIAL TO COMPLEMENT DOWNTOWN POUGHKEEPSIE DEVELOPMENT, PARTICULARLY THE MAIN MALL.

Explanation of Policies:

Development, particularly large-scale development, will be encouraged to locate within, contiguous to, or in close proximity to existing areas of concentrated development of a similar nature where infrastructure and public services are adequate, and where topography, geology, and other environmental conditions are suitable for, and able to accommodate, development.

The above policy is intended to accomplish the following:

1. Strengthen existing residential, industrial and commercial centers;
2. Increase the productivity of existing public services;

3. Preserve open space in sufficient amounts.
4. Encourage new development where appropriate infrastructure exists or can be provided.

As all of the City of Poughkeepsie's waterfront area benefits from municipal water and sewer services, of primary importance in the future of development is the infrastructure of public roads and mass transit bus service.

The deteriorating bridge at North Water Street and the local narrow roadways in the northern portion of the waterfront area (GSA# #1) make industrial traffic extremely difficult and present conflicts with other recreational or commercial traffic in the area. A preferable solution would be direct access to this area from Route 9. Access should be improved and/or new approach roads provided by NYSDOT to permit direct access for trucks and other large service vehicles to the oil tanks and distribution centers located in the southern portion of the waterfront area without requiring access across the DeLaval property or other non-industrial lands.

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

Explanation of Policy:

Certain types of development (see Policy 1) are appropriate at northern Waryas (GSA# 2.3), the old STP (GSA# 3.11) and DeLaval (GSA# 4.1). All agencies that must take actions shall make every attempt to coordinate their reviews so as to expedite development on these parcels without jeopardizing the integrity of their review.

Regulatory programs and procedures will be coordinated and synchronized between levels of government, and, if necessary, legislative and programmatic changes will be recommended.

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

#### FISH AND WILDLIFE POLICIES

**POLICY 7 SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS, AS IDENTIFIED ON THE COASTAL AREA MAP, SHALL BE PROTECTED, PRESERVED, AND, WHERE PRACTICABLE, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.**

POLICY 7A THE VIABILITY OF THE POUGHKEEPSIE DEEPWATER HABITAT, WHICH HAS BEEN IDENTIFIED ON THE COASTAL AREA MAP AS A SIGNIFICANT COASTAL FISH AND WILDLIFE HABITAT, SHALL BE MAINTAINED ESPECIALLY FOR THE SHORTNOSE STURGEON, WHICH IS CONSIDERED AN "ENDANGERED" SPECIES.

POLICY 7B PERFORM A RISK ASSESSMENT FOR ANY PROPOSED EXPANSION OF EXISTING WATERFRONT INDUSTRIES, SUCH AS PRETREATMENT OF LUMBER AND FUEL STORAGE, TO ENSURE PROTECTION OF THE DEEPWATER HABITAT.

Explanation of Policies:

The Poughkeepsie Deepwater Habitat has been designated by the NYS Department of State as a Significant Coastal Fish and Wildlife Habitat. It is the only ecosystem of this type in New York State and provides the major wintering habitat of the "endangered" shortnose sturgeon.

Activities that would affect the water quality, temperature, turbidity, or freshwater to saline distribution may adversely impact the estuarine community in this deepwater habitat. This area may be especially sensitive to discharges of municipal or industrial wastewater, sewage effluents, and agricultural runoff. Major reduction in overall depths along this deepwater trench may also have adverse effects on the endangered shortnose sturgeon utilizing this area. Of particular concern is a past practice of using portions of the deepwater trench as a dredge spoil dumping site. Activities such as this should be controlled to avoid interference with use of the area by shortnose sturgeon. Impingement of shortnose sturgeon on water intake screens could affect the population status of this endangered species.

A habitat impairment test must be met for any activity that is subject to consistency review under federal and State laws, or under applicable local laws contained in an approved local waterfront revitalization program. If the proposed action is subject to consistency review, then the habitat protection policy applies, whether the proposed action is to occur within or outside the designated area.

The specific habitat impairment test that must be met is as follows:

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

- destroy the habitat; or,
- significantly impair the viability of a habitat.

Habitat destruction is defined as the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area, or through the indirect effects of these actions on a designated area. Habitat destruction may be indicated by changes in vegetation, substrate, or hydrology, or increases in runoff, erosion, sedimentation, or pollutants.

Significant impairment is defined as reduction in vital resources (e.g. food, shelter, living space) or change in environmental conditions (e.g. temperature, substrate, salinity) beyond the tolerance range of an organism. Indicators of a significantly impaired habitat focus on ecological alterations and may include, but are not limited to, reduced carrying capacity, changes in community structure (food chain relationships, species diversity), reduced productivity and/or increased incidence of disease and mortality.

The tolerance range of an organism is defined as the ecological range of conditions that supports the species' population or has the potential to support a restored population, where practical. Either the loss of individuals through an increase in emigration or an increase in death rate indicates that the tolerance range of an organism has been exceeded. An abrupt increase in death rate may occur as an environmental factor falls beyond a tolerance limit (a range has both upper and lower limits). Many environmental factors, however, do not have a sharply defined tolerance limit, but produce increasing emigration or death rates with increasing departure from conditions that are optimal for the species.

The range of parameters which should be considered in applying the habitat impairment test include:

1. Physical parameters, such as living space circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;
2. Biological parameters, such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and
3. Chemical parameters, such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity, and pollutants (heavy metals, toxics and hazardous materials).

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

**POLICY 8A**                    **PROHIBIT THE INTRODUCTION OF NEW INDUSTRIES OR TECHNOLOGY WHICH WOULD INCREASE THE PRESENCE OF**

HAZARDOUS MATERIALS WITHIN THE WATERFRONT AREA AND  
IN PROXIMITY TO THE POUGHKEEPSIE DEEPWATER HABITAT.

POLICY 8B            ENCOURAGE EXISTING INDUSTRIAL PRODUCTION OR STORAGE  
FACILITIES TO UTILIZE THE MOST CURRENT TECHNOLOGIES  
AVAILABLE TO MINIMIZE THE POTENTIAL THREAT FROM  
HAZARDOUS WASTES OR POLLUTANTS TO THE SURROUNDING  
ENVIRONMENT, ESPECIALLY THE POUGHKEEPSIE DEEPWATER  
HABITAT.

Explanation of Policies:

The handling (storage, transport, treatment and disposal) of materials generally characterized as flammable, corrosive, reactive, or toxic included and defined in Environmental Conservation Law [527-0901(3)] are strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land and waters. A list of hazardous wastes has been adopted by NYSDEC (6NYCRR Part 371).

Other pollutants are those conventional wastes, generated from point and non- point sources, not identified as hazardous but controlled through other State laws. Enforcement of these regulations are of particular concern in the operation of the petroleum storage facilities and in any potential expansion of existing industrial production or storage facilities as well as any new industrial development proposed for areas of the Waterfront.

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

Explanation of Policy:

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and non-consumptive uses such as wildlife photography, bird watching and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in freshwater coastal areas 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 species, carrying capacity of the resource, public demand, costs and available technology.

The recreational opportunities for fishing along the Fallkill Creek will depend on further assessment of the Creek, its water quality, improved access to the Creek and efforts required to foster the fish population of the Creek.

A diverse range of recreational fishing opportunities may be available in the City's waterfront area, as more fish species are approved for consumption.

**POLICY 10**                    **FURTHER DEVELOP COMMERCIAL FINFISH, SHELLFISH AND CRUSTEAN RESOURCES IN THE COASTAL AREA BY: (I) ENCOURAGING THE CONSTRUCTION OF NEW OR IMPROVEMENT OF EXISTING ON-SHORE COMMERCIAL FISHING FACILITIES; (II) INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS ; AND (III) MAINTAINING ADEQUATE STOCKS AND EXPANDING AQUACULTURE FACILITIES. SUCH EFFORTS SHALL BE IN A MANNER WHICH ENSURES THE PROTECTION OF SUCH RENEWABLE FISH RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.**

Explanation of Policy:

Historically shad fishing has been a part of recreational and commercial uses of the Hudson River in the Poughkeepsie area. Among the potential reuses of the old Sewage Treatment Plant (GSA# 3.11) are a fish hatchery or an aquarium. Such reuses need to be evaluated in terms of local constraints such as possible odor, traffic and aesthetic impacts of such facilities on adjacent land uses.

Commercial fishery development activities must occur within the context of sound fishery management principles developed and enforced within the State's waters by the New York State Department of Environmental Conservation. Commercial fishing development efforts should be done in a manner which ensures the maintenance and protection of the renewable fishery resources. Actions by public agencies must be evaluated as to whether they will impede existing utilization or future development of the State's commercial fishing resources.

#### FLOODING AND EROSION POLICIES

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

**POLICY 11A**                **PROTECT THE FALLKILL CREEK FROM ENCROACHMENT AND PRESERVE A LINEAR OPEN SPACE ALONG THE LENGTH OF THE**

CREEK FOR PURPOSES OF FLOOD PROTECTION, AESTHETICS,  
AND RECREATION.

Explanation of Policies:

This policy shall apply to all areas of special flood hazards identified by the Federal Insurance Administration in the report entitled "The Flood Insurance Study for the City of Poughkeepsie" dated July 5, 1983 and on accompanying maps.

All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage and using methods and practices that minimize flood damage. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration into the systems and discharge from the systems into flood waters.

In floodways all encroachments, including fill, new construction, substantial improvements, and other development are prohibited unless a technical evaluation demonstrates that encroachments shall not result in any increase in flood levels.

In flood hazard areas identified in Map 7 where human lives may be endangered by flooding, all necessary emergency preparedness measures should be taken. The Dutchess County Office of Disaster Preparedness and Civil Defense has prepared plans for Dutchess County.

In the area along the Fallkill Creek permanent structures and parking shall not be located nearer than thirty (30) feet to the tops of the banks of the creek.

Surface drainage for parking and loading areas shall be directed away from the creek. All lands within the minimum stream bank setback area shall be landscaped and stabilized to assure that erosion will not occur.

**POLICY 12                    ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLANDS AND BLUFFS. PRIMARY DUNES WILL BE PROTECTED FROM ALL ENCROACHMENTS THAT COULD IMPAIR THEIR NATURAL PROTECTIVE CAPACITY.**

Explanation of Policy:

Not Applicable. The natural protective features referred to in this policy are not found along the Poughkeepsie shoreline.

POLICY 13 THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY YEARS AS DEMONSTRATED IN DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.

POLICY 13A MAINTAIN THE BULKHEADS ALONG THE HUDSON RIVER IN GOOD CONDITION. PROPOSED OR EXPANDED DEVELOPMENT SHOULD RESTORE AND MAINTAIN EROSION AND FLOOD CONTROL MECHANISMS ALONG THEIR RIVER FRONTAGE. SUCH MECHANISMS SHALL BE DESIGNED FOR LONG TERM STABILITY.

Explanation of Policies:

This policy is applicable along the entire 2.5 mile length of the City's waterfront where bulkheads have been constructed to protect the banks of the River from erosion. Any reconstruction or repair of bulkheads will be held to the thirty year standard of this policy. This standard should apply not only to public actions to repair deteriorated bulkheads but also to existing property owners, who should be encouraged to maintain and reconstruct the bulkhead

along their water frontage, and private developers who propose new development for properties with river frontage.

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

Explanation of Policy:

Erosion and flooding are processes which occur naturally. Man-made activities shall not increase the severity or adverse effects of those processes, causing damage to, or loss of property, or endangerment of human lives. Development shall include: proper use of erosion protection structures, proper drainage or land restoration practices, and appropriate siting of structures to avoid increasing the base flood level and causing damage to otherwise hazard free areas. See Map 7 for location of flood hazard areas.

POLICY 15 MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO

LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.

Explanation of Policy:

Coastal processes, including the movement of beach materials by water, and any mining, excavation or dredging in nearshore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation, and dredging should be accomplished in a manner so as not to cause reduction in the supply, and thus an increase of erosion, to such shorelands.

Although the City of Poughkeepsie does not have any public beach areas, it is important that any dredging activities in the River be sensitive to indirect impacts on other areas.

POLICY 16 PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION, OR EXISTING DEVELOPMENT; AND ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG TERM MONETARY AND OTHER COSTS INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

Explanation of Policy:

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

POLICY 17 WHENEVER POSSIBLE, USE NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE: (I) THE SET BACK OF BUILDINGS AND STRUCTURES; (II) THE PLANTING OF VEGETATION; (III) THE RESHAPING OF BLUFFS; AND (IV) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.

POLICY 17A           ENCOURAGE THE PROTECTION OF STEEP SLOPES AND HILLSIDES THROUGHOUT THE WATERFRONT AREA THROUGH THE USE OF NON- STRUCTURAL MEASURES TO PREVENT EROSION, ESPECIALLY THROUGH THE RETENTION, OR PLANTING OF, VEGETATIVE COVERS.

POLICY 17B           PROHIBIT BUILDING ON NOTABLE STEEP SLOPE AREAS.

Explanation of Policies:

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To the extent any (or a combination) of the non-structural approaches in Policy 17 will provide equal property and resource protection, these are preferred over structural techniques.

In determining whether or not non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis should be prepared. If necessary, other materials such as plans or sketches of the activity or development of the site and alternative protection measures should also be prepared to allow such an assessment. Such measures include the retention and planting of stabilizing vegetation and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters which erode or weaken the land forms. In addition, siting structures outside the hazard area and floodproofing and elevating them above the base flood level should be pursued.

There are many areas of steep slopes or embankments within the coastal boundary. (See Map No. 4, GSA# 3.2 through 3.6, 3.9, 4.2, 4.3, and 5.6) The most significant area of steep slopes is Kaal Rock (GSA# 3.9). For GSA# 3.2 through 3.6, retention of existing vegetative cover will minimize visual impact from the River (See also Policy 25). (See Map 7 for Location of Steep Slopes.) See also Policies 12, 14, and 37.

GENERAL POLICY

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.

POLICY 18A           SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE CITY OF POUGHKEEPSIE AND ITS CITIZENS IN THE DECISION FOR AN ADDITIONAL

HUDSON RIVER BRIDGE CROSSING, APPROACH ROADS OR ROAD WIDENINGS, WHICH WOULD IMPACT THE CITY. FOREMOST AMONG THE CONCERNS OF THE CITY WITH REGARD TO A NEW BRIDGE CROSSING AND RELATED ROADS ARE:

- MINIMIZING OR PREVENTING THE DISRUPTION AND/OR RELOCATION OF EXISTING RESIDENTIAL NEIGHBORHOODS IN OR NEAR THE WATERFRONT BOUNDARY.
- PREVENTING LOSSES TO THE SIZE AND/OR USE OF EXISTING WATERFRONT PARKS INCLUDING WARYAS, AND KAAL ROCK.
- PREVENTION OF TRAFFIC CONGESTION ON EXISTING ROADWAYS THROUGH THE CITY OR DISRUPTION OF EXISTING TRAFFIC PATTERNS.
- PREVENTION OF SIGNIFICANT INCREASES IN NOISE LEVEL DUE TO BRIDGE OR ROAD TRAFFIC.
- PREVENTION OF SHORELINE EROSION AND FLOODING, AND PROTECTION OF THE POUGHKEEPSIE DEEPWATER HABITAT, A STATE IDENTIFIED SIGNIFICANT FISH AND WILDLIFE HABITAT.

POLICY 18B SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE CITY OF POUGHKEEPSIE AND ITS CITIZENS IN THE EVALUATION OF ANY PROPOSAL FOR NEW ROADS OR INFRASTRUCTURE THAT WOULD DISRUPT CURRENT CULTURAL PATTERNS OF TRANSPORTATION AND/OR EXISTING WATERFRONT USES.

Explanation of Policies:

The State and City have important interests in maintaining the viability of valuable coastal waters and resources. These interests, which include environmental, economic and social factors, should be taken into consideration when major actions affecting these resources are proposed.

An additional River Bridge and possible accompanying road construction will have major impact on existing neighborhoods, park resources, topography, shoreline damage, visual resources and other matters. Any bridge should be reviewed for consistency with all LWRP policies with respect to the items cited in Policy 18A.

The City is particularly concerned that any bridge structure, approach roads and/or related connector roads not adversely impact the established residential and neighborhood shopping areas around Mt. Carmel east of Route 9. The City especially does not want to see: demolition of sound structures, interruption or discontinuation of normal traffic patterns, destruction or physical isolation of the residential neighborhood and/or the shopping area, significant increases in noise level due to bridge traffic.

The City is equally concerned that any bridge structures, approach roads and/or related connector roads not adversely impact the residential character and historic integrity of the Union Street Historic District, to the east of Route 9, which is on the State and National Register of Historic Places.

The City is further concerned that any bridge structures, approach roads and/or related connector roads not adversely impact use and/or size of the City's existing waterfront parks, including, Waryas, Northern Waryas and Kaal Rock, or detract from enjoyment of these facilities due to erosion or increased noise levels from bridge traffic (see Policies 19 and 20).

Finally, the City is concerned that the Railroad Station, which is on the State and National Register of Historic Places, not be adversely impacted, either in terms of structural integrity or visual setting by any bridge structures, approach roads and/or related connector roads.

Any proposal for a new road paralleling the riverfront, shall be reviewed for: the extent it results in any of the following impacts: increases in traffic along the immediate waterfront; disruption of existing waterfront uses, especially those providing an economic return to the City; severe environmental and other impacts due to construction; visual impacts and/or loss of recreational areas or the opportunity for access to them.

#### 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 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 BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

POLICY 19A                ENCOURAGE CONTINUOUS PUBLIC ACCESS ALONG THE ENTIRE LENGTH OF THE SHORELINE WHERE FEASIBLE.

POLICY 19B PUBLIC TRANSPORTATION, INCLUDING USE OF BUSES, SHOULD BE ENCOURAGED TO LINK WARYAS PARK AND THE DELAVAL SITE WITH EACH OTHER AND WITH THE CENTRAL BUSINESS DISTRICT (SEE POLICIES 5A AND 21).

POLICY 19C INCREASE THE ACCESS TO, AND ENJOYMENT OF, THE WALKWAYS OF THE MID-HUDSON BRIDGE BY ADDRESSING THE QUESTIONS OF PUBLIC ACCESS TO THE BRIDGE FROM/TO THE WATERFRONT AND PEDESTRIAN/BICYCLE ACCESS ACROSS THE HUDSON RIVER FOLLOWING RECONSTRUCTION OF WALKWAYS. COORDINATE SUCH EFFORTS WITH THE NYS BRIDGE AUTHORITY, THE CITY OF POUGHKEEPSIE POLICE DEPARTMENT AND THE TOWN OF LLOYD.

POLICY 19D TOUR BOATS WHICH BRING LARGE GROUPS OF PEOPLE TO THE POUGHKEEPSIE WATERFRONT SHOULD BE ENCOURAGED.

Explanation of Policies:

The City of Poughkeepsie, by virtue of its geography, and history of redevelopment activities in the 1970's, has a significant amount of public parkland along the Hudson River. Waryas and Kaal Rock Parks have been developed with landscaping, lighting, picnic facilities, docking facilities and a bandstand and building for small public functions. These parks allow for both local and regional access to the Hudson River.

Priority will be given to improving physical access to existing coastal recreation sites within the City of Poughkeepsie and to increasing the ability of urban residents to get to coastal recreation areas by improved public transportation. The particular water-related recreation resources and facilities which will receive priority for improved access are waterfront parks, boating facilities, and fishing areas. Access means the ability and right of the public to reach and use public coastal lands and waters.

Implementation of these policies requires consideration of the capacity of the resources and facilities and the protection of natural resources.

The opportunity to link the public parklands and other publicly owned lands of major points of interest and recreation along the riverfront is a major goal of the LWRP and dovetails with the City being a Participating Community in the Hudson River Greenway.

The means to provide for a linkage, such as construction of a walkway and/or easement or acquisition of private waterfront lands which would create linkage from the Fallkill Creek to the southern end of the DeLaval site, and participation in the Hudson River Greenway program, shall be

explored. A waterfront walk would provide the opportunity for greater utilization of public parkland, as well as other undeveloped public lands, as points of historic or cultural interest which would broadly expand the public's enjoyment of the River. (See Map 9 for potential linkages). The City envisions a Greenway trail/walkway extending at least from the southern tip of the DeLaval site to the northern boundary of Waryas Park, a distance of approximately 1.25 miles. To link Kaal Rock Park to Waryas Park, the City will explore such options as a deck either on pilings out around or cantilevered from Kaal Rock.

The possibility of providing a walkway, or other linkage mechanisms, should be included in public construction projects in the waterfront area.

City, State or Federal agencies 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.

For the purposes of this policy a reduction in the existing level of public access includes, but is not limited to, the following:

- (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
- (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting systematic objectives.
- (3) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines or similar linear facilities.
- (4) There are substantial increases in the following: already existing special fares (not including regular fares) of public transportation to a public water-related recreation resource or facility, except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary.

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

- (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
- (2) Sale, lease or other transfer of public lands that could provide public access to a public water-related recreation resource or facility.

- (3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.

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 BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES.    SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

Explanation of Policy:

Access addressed by this policy includes walking along the City's waterfront and/or to a vantage point from which to view the waterfront. Other activities requiring access include bicycling, birdwatching, photography, nature study, and fishing.

For these activities access can be provided by a Greenway trails system, access across transportation facilities, and the promotion of mixed and multi-use development. See also Policy 19B.

While such foreshore referenced in the policy shall be retained in public ownership, traditional sales or easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not interfere with continued public use of the public lands on which the easement is granted (see Policy 19).

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

- 1) Pedestrian access shall not be diminished or eliminated because of hazardous crossings required at new transportation facilities, electric power transmission lines, or similar facilities.
- 2) Pedestrian access shall not be diminished or blocked completely by public or private development.
- 3) Construction of public or private facilities shall not physically prevent the provision of convenient public access to public coastal lands and/or waters from public lands and facilities.

## 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 BOATING FACILITIES AND ACTIVITY SHOULD BE ENCOURAGED PROVIDED THAT THEY DO NOT INTERFERE WITH OTHER RECREATION OPPORTUNITIES.

### Explanation of Policies:

Water-related recreation includes water-dependent activities such as boating, swimming, and fishing as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast. Activities which increase the public's access to the coast include pedestrian and bicycle trails, picnic areas, scenic overlooks, and passive-recreation areas that take advantage of coastal scenery.

Since so many of the neighboring communities, such as the Town of Poughkeepsie and the Town of Lloyd, are severely limited in their direct access to the River, the City's parks are of even greater regional importance as the closest public launching facility for recreational boating. The nearest public launching facilities are in Newburgh, Kingston and Staatsburg. Continued maintenance of the several docks is an important element in the effort to foster increased public utilization.

Because of the unique advantage of shoreline which is not restricted by the rail-bed, provision of adequate boating services to meet future demand is encouraged by this Program. Opportunities for public boat launching shall be encouraged. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources, with their capability to accommodate demand, and with the visual access Policies 24 and 25.

Public transportation facilities on land, such as shuttle bus services, which provide access to the waterfront area should be expanded to facilitate the linkage of waterfront areas.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shoreline should be avoided as much as practicable.

POLICY 22 DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, WILL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.

POLICY 22A USE OF THE DELAVAL PROPERTY, THE OLD SEWAGE TREATMENT PLANT AND NORTHERN WARYAS MUST INCLUDE RECREATION AS PART OF ACTIVITIES ON THE SITES.

Explanation of Policies:

Where appropriate and where it furthers the primary purposes of development, waterfront areas can provide opportunities for recreation. Whenever developments are located adjacent to the shore at DeLaval, the old Sewage Treatment Plant or Northern Waryas, they should provide for some form of water-related or enhanced recreation use unless there are compelling reasons why such recreation cannot be provided. At minimum, a public walkway should be provided unless there are compelling reasons otherwise.

#### HISTORIC AND SCENIC RESOURCES POLICIES

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

POLICY 23A IDENTIFIED HISTORIC STRUCTURES IN THE WATERFRONT AREA SHOULD BE ENCOURAGED TO BE MAINTAINED AND/OR PRESERVED WITH ADAPTIVE REUSE WHICH IS COMPATIBLE WITH OTHER WATERFRONT POLICIES.

POLICY 23B REUSE OF THE ICE HOUSE AS A COMMUNITY FACILITY, EDUCATION CENTER OR FOOD KIOSK IS ENCOURAGED.

Explanation of Policies:

The standing of the City of Poughkeepsie as a viable community steeped in the history and culture of the Mid-Hudson region requires the maintenance and enhancement of the historical, aesthetic, cultural and architectural heritage of the City. The intent of this policy is to protect and preserve historic structures on the State and National Register of Historic Places to the extent possible.

The structures of significance in the history, architecture, archaeology or culture of the City include the following resources:

1. The Poughkeepsie Railroad Station (GSA# 2.6);
2. The Mid-Hudson Bridge (GSA# 3.10);
3. The Poughkeepsie Railroad Bridge (GSA# 1.7).

In addition, several areas in and adjacent to the waterfront district are of specific importance for their general historic and cultural significance to the City. These areas include:

1. The Union Street Historic District
2. The North Clover - Mill Street Historic District

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the City, State, or Nation should include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change. A significant adverse change includes but is not limited to:

1. Alteration of or addition to one or more of the architectural, structural, ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archaeological resource, or component thereof. Such features are defined as encompassing those found in the U.S. Department of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural or archaeological resource or component thereof, including any appurtenant fixture associated with a building, structure, or earthwork.
3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within a historic district, that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgments about compatibility should focus on the visual and locational relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the architectural style, design, material, scale, proportion, composition, landscaping and related items of the new action must be in keeping with the character of the existing resources. Within historic districts, this would

include infrastructure improvements such as street and sidewalk paving, street furniture, and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, or component thereof of a recognized historic, cultural or archaeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

The Railroad Bridge is part of the urban waterfront and as such is a cultural and scenic resource. The Bridge represents a peculiar set of problems. Any future use of the Bridge or the right-of-way should be consistent with all policies relevant to that site.

The Train Station is a significant historic building and provides a vital economic and transportation function for the community. The improvement of parking facilities and pedestrian and vehicular access to the Station is of major importance in improving the functioning of the Station and in protecting the integrity of the public parkland and commercial areas in proximity to the Station. Expanded and improved parking must be provided to prevent continued use by commuters of the parking provided for Waryas Park. Expanded mass transit and/or off-site parking with transit links to the station should be explored as possible ways to increase parking opportunities. The exit from the Station to Main Street should be appropriately maintained and improved. The pedestrian walkway should be upgraded and improved to facilitate access to the Station by pedestrians and those using public transportation. Adaptive reuses of the walkway should be explored.

**POLICY 24                    PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATEWIDE SIGNIFICANCE, AS IDENTIFIED ON THE COASTAL AREA MAP. IMPAIRMENT SHALL INCLUDE:**

- (I)     THE IRREVERSIBLE MODIFICATION OF GEOLOGIC FORMS, THE DESTRUCTION OR REMOVAL OF VEGETATION, THE DESTRUCTION, OR REMOVAL OF STRUCTURES, WHENEVER THE GEOLOGIC FORMS, VEGETATION OR STRUCTURE ARE SIGNIFICANT TO THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE; AND
  
- (II)    THE ADDITION OF STRUCTURES WHICH BECAUSE OF SITING OR SCALE, FORM, OR MATERIALS WILL DIMINISH THE SCENIC QUALITY OF AN IDENTIFIED RESOURCE.

**POLICY 24A                PREVENT IMPAIRMENT OF THE ESOPUS/LLOYD SCENIC AREA OF STATEWIDE SIGNIFICANCE.**

Explanation of Policies:

Portions of the City of Poughkeepsie's shoreline are included in the Esopus/Lloyd Scenic Area of Statewide Significance (SASS), as designated by the Secretary of State. The Esopus/Lloyd SASS is of statewide aesthetic significance by virtue of the combined aesthetic values of landscape character, uniqueness, public accessibility and public recognition. There exists in the SASS unusual variety as well as unity of major components and striking contrasts between scenic elements. The SASS is generally free of discordant features. The section of the Esopus/Lloyd SASS within the City of Poughkeepsie is limited to the area below the high water mark along the City's shoreline. It is included within the following subunits:

EL-5	Highland Bluffs Subunit
EL-6	Blue Point Subunit

The scenic quality of these subunits is summarized in Appendix C.

When considering a proposed action, agencies shall determine whether the action could affect the Esopus/Lloyd SASS and, if so, whether the types of activities proposed would be likely to impair the scenic quality of an identified resource. Impairment includes:

- (i) the irreversible modification of geologic forms; the destruction or removal of vegetation; the modification, destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and
- (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

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

- siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;
- clustering or orienting structures to retain views, save open spaces and provide visual organization to a development;
- incorporating sound, existing structures (especially historic buildings) into the overall development scheme;

- removing deteriorated and/or degrading elements;
- maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;
- maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of coastal waters;
- using appropriate materials, in addition to vegetation, to screen unattractive elements;
- using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

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

POLICY 25A         PROTECT THE FOLLOWING AREAS OF LOCAL SCENIC SIGNIFICANCE:

1.     HIGHEST PRIORITY: VIEWS OF THE RIVER FROM PUBLIC PARKS.
2.     ADDITIONAL AREAS OF SCENIC SIGNIFICANCE INCLUDE THE VIEWS FROM:
  - A.     KAAL ROCK
  - B.     THE MID-HUDSON BRIDGE
3.     THE VIEW FROM VASSAR BROTHERS HOSPITAL
4.     THE VIEW FROM THE RAILROAD STATION TRACK ACCESS OVERPASS.
5.     VIEWS OF, FROM AND THROUGH THE DELAVAL SITE.
6.     THE VIEW FROM OUR LADY OF MT. CARMEL CHURCH STEPS.

(ALSO MAP 9 FOR IDENTIFICATION OF VIEWSHEDS)

POLICY 25B            PROTECT VIEWS OF THE HUDSON RIVER, THE VALLEY AND THE WOODED BLUFFS OF THE ESOPUS/LLOYD SASS ON THE WESTERN SHORE FROM THE IMMEDIATE RIVERFRONT AS VIEWED FROM CITY PARKS.

POLICY 25C            ANY NEW BRIDGE CROSSING VISIBLE FROM THE CITY'S WATERFRONT MUST REFLECT THE QUALITY AND MOTIF OF THE EXISTING MID-HUDSON BRIDGE.

Explanation of Policies:

The following guidelines shall be used to protect the locally significant scenic resources:

- Construction within the designated viewshed will not obstruct the view to the extent practicable,
- Building materials and colors should be used that help blend the structures into the landscape,
- Construction should be of a scale, mass and bulk typical of nearby Poughkeepsie neighborhoods and buildings.

The Mid-Hudson Bridge is of local significance both for its aesthetic grace and as a symbol of the City. The Mid-Hudson Bridge was designed in the 1930's as a noted suspension bridge. It has an art nouveau quality. Its remarkable construction technique has scenic and historic importance. Any new Bridge construction should fit with the design elements of that time period. As Route 9 approaches the intersection with the Mid-Hudson Bridge (GSA#3.13), there are broad views of the Bridge itself and the wooded bluffs.

The view both north and south from the Mid-Hudson Bridge (GSA# 3.10) is of value to the City and has been recognized as part of the Esopus/Lloyd SASS. The Bridge provides views of the City itself, of Kaal Rock (GSA# 3.9) and public parkland along the River's edge (GSA# 2.1 and 3.7) Kaal Rock is the highest point along the City's waterfront and, as such, offers impressive views of the opposite shore and the River corridor. In the past, a restaurant used to be located on this promontory; however, in more recent years, the space has been vacant and unused. This site is urban renewal land and is zoned for residential development. Because this is a unique piece of property, the preferred use is to retain this parcel as open space offering panoramic River views. Retention of Kaal Rock as open space also would provide land for possible trade for northern Waryas if and when development along North Water Street should occur. If no development should occur along North Water Street in a reasonable time period or if the City should receive a proposal for development on the Kaal Rock urban renewal parcel that the Mayor and the Common Council

deem satisfactory in terms of economic benefits to the City, then development on Kaal Rock would be acceptable provided the aesthetic considerations that follow are incorporated. In recognition of the views available, development at this site should respect the Rock's scenic significance and should provide opportunities for the public to enjoy the views. Development on this site should be sensitive to architectural style, design, material, scale, proportion, composition and landscaping in keeping with the scenic sensitivity of this site.

With respect to the DeLaval site, there are significant views of the river and opposite shoreline from various spots on the property. Protection of these views is important but should not be interpreted to mean development on any or all of this site is prohibited. This policy should be interpreted so as to encourage a development plan that provides opportunity for public access at various places on the site to the shoreline to enjoy the views and placement of buildings and other structures to minimize view obstruction without unnecessarily restricting development options. Not every portion of the riverfront has to be accessible to the public nor does every single view have to be preserved from every vantage point.

Also of note is the view north from the Mid-Hudson Bridge of the Poughkeepsie Railroad Bridge. The Railroad Bridge (GSA# 1.7) comprises part of the historical context of the City and, as a national historic landmark, is of cultural significance.

Route 9, the major north-south arterial highway provides several important points of visual access (See Map 9). Proceeding north on Route 9, there are high quality views of the expanses of wooded bluffs in the Town of Lloyd and of the Catskill Mountain Ridge as the highway curves west towards the River. (GSA# 4.2 through 4.5, 5.9 through 5.11). The view from Rinaldi Boulevard and Pine Street and from the foreshore of the DeLaval property (GSA# 4.1) is of local significance because of the panoramic vistas of the River and west bank. Any development on DeLaval should be evaluated in terms of potential impact upon these important viewsheds.

Landscaping along the Route 9 corridor and proper maintenance by DOT is essential to enhancement of views from Route 9 and as the road approaches the Mid-Hudson Bridge, a designated scenic roadway.

The DOT right-of-way at the foot of Union Street and South Clover Street provides a good example of landscaping that softens a massive interchange but does not block important views across the River. Maintenance of landscaping in this ROW is particularly critical in light of the visual importance of this area. Routine maintenance by DOT should reflect this importance.

When considering a proposed action, which would not affect a scenic resource of statewide or local significance, agencies shall undertake to ensure that the action will be undertaken so as to protect, restore or enhance the overall scenic quality of the coastal area. The siting and design guidelines outlined in Policy 24 should be considered for proposed developments in the general coastal area as they affect local resources of scenic significance.

Along the inland boundary of the waterfront area, the dominant visual features are the wooded bluffs of the western shore, and the expansive views of mountains to the west. (See Photographic Survey, p.IV-3).

#### AGRICULTURAL LANDS POLICY

POLICY 26 TO CONSERVE AND PROTECT AGRICULTURAL LANDS IN THE STATE'S COASTAL AREA, AN ACTION SHALL NOT RESULT IN A LOSS, NOR IMPAIR THE PRODUCTIVITY, OF IMPORTANT AGRICULTURAL LANDS, AS IDENTIFIED ON THE COASTAL AREA MAP, IF THAT LOSS OR IMPAIRMENT WOULD ADVERSELY AFFECT THE VIABILITY OF AGRICULTURE IN AN AGRICULTURAL DISTRICT OR IF THERE IS NOT AN AGRICULTURAL DISTRICT, IN THE AREA SURROUNDING SUCH LANDS.

Explanation of Policy:

Not applicable. The City of Poughkeepsie's coastal area does not contain any agricultural lands.

#### ENERGY AND ICE MANAGEMENT POLICIES

POLICY 27 DECISIONS ON THE SITING AND CONSTRUCTION OF MAJOR ENERGY FACILITIES IN THE COASTAL AREA WILL BE BASED ON PUBLIC ENERGY NEEDS, COMPATIBILITY OF SUCH FACILITIES WITH THE ENVIRONMENT, AND THE FACILITY'S NEED FOR A SHOREFRONT LOCATION.

POLICY 27A ANY DECISIONS REGARDING EXPANSION OF CENTRAL HUDSON'S FACILITIES WITHIN THE CITY OF POUGHKEEPSIE'S WATERFRONT AREA MUST BE BASED ON PUBLIC ENERGY NEEDS, AND COMPATIBILITY OF SUCH FACILITIES WITH APPLICABLE ENVIRONMENT REGULATIONS.

Explanation of Policies:

Any proposed expansion of the Central Hudson facility or proposed siting of other major energy facilities within the waterfront area could have a potentially significant impact upon many other important values pertaining to the waterfront area and must be assessed for consistency with Policies 18-25 in particular.

A determination of public need for energy is the first step in the process for siting any new facilities. The directives for determining this need are set forth in the New York State Energy Law. With respect to transmission lines, Article VII of the State's Public Service Law requires additional forecasts and establishes the basis for determining the compatibility of these facilities with the environment and the necessity for a shorefront location. With respect to electric generating facilities, environmental impacts associated with siting and construction will be considered by one or more State agencies or, if in existence, an energy siting board. The policies derived from these proceedings are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization and Coastal Areas and Inland Waterways Act. That Act is used for the purposes of ensuring consistency with the Coastal Management Program and this Local Waterfront Revitalization Program.

In consultation with the City of Poughkeepsie, the Department of State will comment on State Energy Office policies and planning reports as may exist; present testimony for the record during relevant certification proceedings under Articles VII and X of the PSL; and use the State SEQR and DOS regulations to ensure that decisions on other proposed energy facilities (other than transmission facilities and steam electric generating plants) which would impact the coastal area are made consistent with coastal policies.

**POLICY 28                    ICE MANAGEMENT PRACTICES SHALL NOT DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, INCREASE SHORELINE EROSION OR FLOODING, OR INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER.**

Explanation of Policy:

The City of Poughkeepsie does not undertake any ice management practices within the Hudson River. Any clearance of the navigation channel of the River is performed by the U.S. Coast Guard. This policy would be of importance in the event that significant expansion of these activities was proposed which might adversely affect the Poughkeepsie Deepwater Habitat.

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the Poughkeepsie Deepwater Habitat, flood levels and damage, and rates of shoreline erosion damage.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

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

Explanation of Policy:

Not Applicable. The type of energy resources addressed are not likely to be found in the Hudson River.

#### WATER AND AIR RESOURCES POLICIES

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

Explanation of Policy:

Municipal, industrial, and commercial discharges include not only "end-of-the-pipe" discharges into surface and ground water but also plant site runoff, leaching, spillages, sludge, other waste disposal, and drainage from raw material storage sites. Regulated industrial discharges are those which directly empty into receiving coastal waters and those which pass through municipal treatment systems before reaching the State's waterways. Such "end-of-the-pipe" discharges are monitored and regulated by the NYS Department of Environmental Conservation SPDES program (State Pollution Discharge Elimination System) as well as by federal law and the U.S. Department of Environmental Protection. Local vigilance must be exercised to ensure that such state and federal regulations are adequately enforced. The City will work cooperatively with State officials to this end and recommend more stringent standards when appropriate.

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 OVER-BURDENED 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.

POLICY 32 ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES WHERE THE COSTS OF CONVENTIONAL FACILITIES ARE UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING TAX BASE OF THESE COMMUNITIES.

Explanation of Policy:

Not Applicable. The City of Poughkeepsie's entire waterfront area is currently served by public sewers.

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

Explanation of Policy:

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g. construction of retention basins) and combined sewer overflows (e.g. replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Until funding for storm/sewer projects becomes available, non-structural approaches (e.g. improved street cleaning, reduced use of road salt) will be encouraged.

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 ANY EXPANSION OF BOATING FACILITIES WITHIN THE WATERS OFF THE CITY OF POUGHKEEPSIE WATERFRONT MUST BE CAREFULLY REVIEWED FOR IMPACTS UPON THE POUGHKEEPSIE DEEPWATER HABITAT AND THE PUBLIC WATER SUPPLY FROM DISCHARGE OF ANY WASTE MATERIALS INTO THE HUDSON RIVER.

POLICY 34B ANY NEW MARINA FACILITIES WILL BE REQUIRED TO PROVIDE AND MAINTAIN PUBLIC ACCESS ALONG THE WATERFRONT. ON SHORE STORAGE OF BOATS ON PUBLICLY OWNED WATERFRONT LANDS WILL NOT BE PERMITTED. MARINE TOILET PUMP OUT FACILITIES THAT ARE HOOKED INTO THE CITY'S SEWAGE SYSTEM ARE STRONGLY ENCOURAGED.

Explanation of Policies:

Use of waterfront sites for tour boats and other boat docking facilities while compatible with other stated goals of the City's program, need to be monitored to assure compliance with specific effluent standards for marine toilets as promulgated by the NYSDEC (6NYCRR, Part 657) and to avoid adverse impacts on the Poughkeepsie Deepwater Habitat. The waste materials considered under this Policy include: sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas. (See Policies 7 and 38.) Gas pumps that may be part of new marinas should meet all State safeguards in order to insure the least possible environmental consequences, especially from spillage.

POLICY 35                    DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.

POLICY 35A                ANY PROPOSED DREDGING OR DISPOSAL OF DREDGE SPOIL IN THE WATERS OFF THE CITY OF POUGHKEEPSIE'S WATERFRONT AS PART OF AN EFFORT TO IMPROVE CONDITIONS FOR DEVELOPMENT OF BOATING FACILITIES SHOULD BE REVIEWED FOR POTENTIAL IMPACT UPON THE POUGHKEEPSIE DEEPWATER HABITAT.

Explanation of Policies:

Dredging often is necessary for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Dredging may be proposed as a part of a development proposal. Such dredging, however, may adversely affect water quality, fish and wildlife habitats, and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits are granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy Federal dredging permit standards regulated by the U.S. Army Corps of Engineers and State dredging permit standards set forth in regulations developed pursuant to ECL (Articles 15, 24, 25 and 34), and are consistent with policies pertaining to the protection of coastal resources (Policies 7, 15, 24, 25).

Routine maintenance dredging of the navigational channel of the Hudson River between Peekskill and Kingston is required on a periodic basis.

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:

The transport of petroleum and other hazardous materials (See Policy 39 for definition of hazardous materials) is governed and monitored by applicable NYS regulations.

Petroleum is shipped by water to and from the City of Poughkeepsie and stored at facilities at the water's edge (GSA# 5.2-5.6). Hazardous wastes are stored at the A.C. Dutton Lumber site (GSA# 1.1) for use in the treatment of lumber. Activities at all these sites will conform with this policy and applicable State 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 to reduce these sources of pollution could include, but are not limited to, soil erosion control practices and surface drainage control techniques. Similar techniques are discussed as pertinent to the policies on erosion control (Policy 12) and stormwater runoff (Policy 33).

All portions of improved multi-family and non-residential properties which are not used for buildings, accessory uses, off-street parking, walkways, and similar purposes shall be appropriately landscaped with grass, shrubs, trees, and other ground cover in such a manner as to minimize erosion and stormwater runoff.

The following general best management practices will be utilized in the coastal area of the City of Poughkeepsie:

1.     The construction site, or facilities, should fit the land, particularly with regard to its limitations.
2.     Natural ground contours should be followed as closely as possible and grading minimized.
3.     Areas of steep slopes, where high cuts and fills may be required, should be avoided.

4. Extreme care should be exercised in areas adjacent to natural watercourses and in locating artificial drainageways so that their final gradient and resultant discharge velocity will not create erosion problems.
5. Natural protective vegetation should remain undisturbed, if at all possible, and restored when necessary.
6. The amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water should be limited.
7. The velocity of the runoff water on all areas subject to erosion should be reduced below that necessary to erode the materials.
8. A ground cover should be applied sufficient to restrain erosion on that portion of the disturbed area undergoing no further active disturbance.
9. Runoff from a site should be collected and detained in sediment basins to trap pollutants which would otherwise be transported from the site.
10. The angle for graded slopes and fills should be limited to an angle no greater than that which can be retained by vegetative cover. Other erosion control devices or structures should be used only where vegetation and grading are not sufficient to control erosion.
11. The length as well as the angle of graded slopes should be minimized to reduce the erosive velocity of runoff water.

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

POLICY 38A                INCREASED USE OF THE HUDSON RIVER AS A WATER SUPPLY FOR NEW YORK CITY SHOULD NOT RESULT IN A DEGRADATION IN QUALITY OR QUANTITY OF WATER AVAILABLE TO THE CITY OF POUGHKEEPSIE AS A SOURCE OF DRINKING WATER OR TO SUSTAIN THE DEEPWATER HABITAT. INCREASED USE BY OTHER COMMUNITIES SHALL NOT RESULT IN A CHANGE IN THE SALT FRONT LOCATION WHICH WOULD ADVERSELY IMPACT WATER INTAKE FOR THE CITY OF POUGHKEEPSIE, NOR SHOULD THE AMOUNT OF WATER INTAKE PERMITTED TO THE CITY OF POUGHKEEPSIE BE LIMITED DUE TO OTHER WITHDRAWALS.

Explanation of Policies:

The City of Poughkeepsie depends solely on the surface water of the Hudson River for its water supply. Any action which would have an impact on the quality of the Hudson River as a source of drinking water must be thoroughly reviewed and mitigating measures investigated.

Both Dutchess and Ulster Counties participated in recent regional planning relative to water resources for the Hudson Valley and New York Metropolitan area. Actions relative to the activation of the Chelsea Pump Station and its possible impact upon the movement northward of the salt line are crucial to the City's planning for water supply. The City will seek the maximum input possible in this matter to protect its supply of water for public consumption.

Impacts upon the River resulting from construction activity, land use management, point and non-point pollution discharges, and direct actions within the water-front area will be reviewed for their impacts on the Hudson River as a water supply.

**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 GROUND-WATER AND SURFACE WATER SUPPLIES, SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT AGRICULTURAL LANDS, AND SCENIC RESOURCES.**

Explanation of Policy:

The definitions of the terms "solid wastes" and "solid wastes management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 17). Solid wastes include sludges from air or water pollution control facilities, demolition and construction debris, and industrial and commercial wastes. Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901(3)). A list of hazardous wastes has been adopted by DEC (6 NYCRR Part 371). Transport of such wastes along the railroad lines or across the Mid-Hudson Bridge are of concern for the City of Poughkeepsie.

Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include atmospheric loading and degradation of scenic resources.

**POLICY 40                    EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL**

WATER WILL NOT BE UNDULY INJURIOUS TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.

Explanation of Policy:

A number of factors must be considered when reviewing a proposed site for facility construction. One of these factors is that the facility not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health, and public enjoyment of the receiving waters. The effects of thermal discharges on water quality and aquatic organisms will be considered by State agencies or, if applicable, a siting board when evaluating an applicant's request to construct a new electric generating facility.

While the City does not foresee the circumstances under which a major steam electric generating facility would be proposed for its waterfront area, the presence of Central Hudson within the waterfront area makes this issue relevant. This Policy would apply if a major electric generating or industrial facility were proposed in light of the importance of the Hudson River as a public water supply and the presence of the Poughkeepsie Deepwater Habitat offshore.

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

Explanation of Policy:

Waterfront management guidelines and 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 which embodies the requirements of the Clean Air Act and the minimum air quality control requirements applicable within the waterfront area.

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

Explanation of Policy:

The policies of the State and of the Poughkeepsie LWRP concerning proposed land and water uses (and the protection and preservation of special management areas) will be taken into account prior to

any action to change regulations which prevent significant deterioration of land classifications in coastal regions or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon the State and local coastal management program.

**POLICY 43                    LAND USE OR DEVELOPMENT IN THE COASTAL AREAS MUST NOT CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF THE ACID RAIN PRECURSORS: NITRATES AND SULFATES.**

Explanation of Policy:

The New York Coastal Management Program incorporates the State's policies on acid rain. The City's Waterfront Management Program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continuous viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

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

Explanation of Policy:

Not Applicable. The City of Poughkeepsie's Waterfront Area does not include any tidal or freshwater wetlands.