



TOWN OF BETHLEHEM

LOCAL WATERFRONT REVITALIZATION PROGRAM UPDATE

MEETING SUMMARY

Purpose: Local Waterfront Revitalization Advisory Group (LWRAG) Meeting #5
Date and Time: January 31, 2017 3:00-5:00 pm
Location: Town Hall, Room 101, 445 Delaware Avenue

Attendees: See Attached
Coastal Policies Table: See Attached

Agenda Item	Discussion	Action
Welcome	Ms. Hakes welcomed the LWRAG to the meeting and reviewed the meeting agenda.	N/A
Draft Vision Review	<p>At LWRAG Meeting #4 a draft vision was presented to the committee. The draft vision was established through use of project goals, goals of LWRAG members, and input received at LWRAG Meeting #1. It was requested that the LWRAG further review the draft vision and provide any insight or feedback to the project team for LWRAG meeting #5.</p> <p>LWRAG feedback and versions of the vision statement were reviewed and discussed. Ultimately, the vision statement should represent what is desired within the proposed waterfront revitalization area (WRA).</p> <p>Other insight provided by the LWRAG included:</p> <ul style="list-style-type: none"> ▪ the use of language such as “bold planning” ▪ framing text in future tense ▪ being succinct while saying all that is desired ▪ being consistent with the Town vision <p>The project team noted that the LWRAG has developed a good working vision statement and that it will continue to be updated and modified as the LWRP process advances.</p>	MJ will continue to work with the Town and LWRAG to develop a refined vision statement as the LWRP process advances.

<p>Exercise: Review Local Waterfront Revitalization Area Coastal Policies</p>	<p>Ms. Hakes provided an overview of the exercise and its importance. The New York State Department of State (NYS DOS) coastal policies contribute significantly to the overall LWRP process.</p> <p>The existing coastal area boundary will be expanded to the proposed WRA, upon adoption by the Secretary of State. Any actions taking place in the coastal area boundary are subject to consistency review by NYS DOS. The review includes checking the proposed project against state coastal policies. Each coastal policy fits into one of the following categories: promotes the beneficial use of coastal resources; prevents the impairment of coastal resources; and deals with activities that substantially affect numerous resources. This review allows NYS DOS and the Town to balance competing land and water uses in the coastal zone.</p> <p>There are a total of 44 New York State coastal policies (see attached table). Each policy was reviewed for its applicability to the proposed WRA. Upon this review, the LWRAG confirmed with the project team that there is only one (1) coastal policy (#29) that does not apply to the proposed WRA. There were three (3) coastal policies that the LWRAG requested input from New York State Department of State (NYS DOS) to further discuss applicability. The following policy numbers are under review: 3, 24, and 28.</p>	<p>MJ to gather information from NYSDOS regarding applicability of the three noted coastal policies.</p>
<p>Waterfront Update</p>	<p>Mr. Leslie provided a waterfront update for the LWRAG.</p> <p><u>Port of Albany Expansion</u></p> <p>The Port of Albany has received \$5 million from the Regional Economic Development Council (REDC) for the potential purchase of the Beacon Harbor Site located just south of the existing port boundary. This site is anticipated to be primarily used for warehouse buildings both private and owned by the Port. The existing Port Road South would be continued south across the Normans Kill. The Port is in the due diligence phase of understanding the characteristics of the land for future development.</p> <p><u>126 Port Road South</u></p> <p>This property is owned by Carver Companies and is anticipated to temporarily house a spud barge. This barge will be operated similar to a dock that can rise and fall with the tide. The Office of General Services (OGS) has granted a temporary easement, until November 2017, for this use. The site is anticipated to also construct a permanent inlet for the distribution of bridge construction materials as well as other products. This site would also include facilities for the inside repairs of tug boats and barges.</p> <p><u>Air Products – 461 River Road</u></p> <p>This company is seeking a height variance on existing property that they own for the installation of an air separating unit. The unit would separate out Nitrogen, Oxygen, and Argon.</p>	

	<p><u>Zoning Change</u> A zoning amendment, effective December 21, 2016, has removed multifamily and 3-4 family units from the Rural Light Industrial list of permitted uses.</p> <p><u>Gateway Commerce</u> The site is located off exit 22 of the NYS Thruway, Rosenblum Development is currently working with National Grid to bring utilities (gas) to this site. The Master Plan for this site has been approved.</p>	
<p>Next Steps</p>	<p>LWRAG meeting #6 will include the following:</p> <ul style="list-style-type: none"> ▪ Henry Hudson Park Master Plan Update ▪ Discussion of potential Land and Water Uses and Projects 	<p>LWRAG members to think about what they envision for potential land and water uses and projects.</p> <p>MJ to provide LWRAG with outline for LWRP.</p> <p>MJ to coordinate with Town to schedule LWRAG meeting #6.</p>

This meeting summary conveys our understanding of the items discussed and agreements reached at this meeting. Please forward any additions, corrections and/or questions to my attention.

Submitted by:

Kristen Gaynor
Planner

cc: Town of Bethlehem Planning Division Staff, Local Waterfront Revitalization Advisory Group (LWRAG), New York State Department of State (NYS DOS) Representative, File

For additional project information, please visit the following link:

<http://www.townofbethlehem.org/746/Local-Waterfront-Revitalization-Advisory>



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Local Waterfront Revitalization Advisory Group Meeting #5
 January 31, 2017
 Town Hall, Room 101, 445 Delaware Avenue

Please sign in

Name	Affiliation	Email
Peter Thomas	Adv Group	peter@enform.info
Maureen Cunningham	Hudson River Walkshed Alliance	mccunningham@yahoo.com
Mark Poole	Innovative Surface Solutions	mpoole@innovativecompany.com
Nan Lanahan	TOB	nlanahan@townofbethlehem.org
Lina Ewales	Adv Group	
Joan Garrillik	Friends of Bethlehem Park & Rec	jsg85@aol.com
Charlotte Buchanan	Resident	charlotte.buchanan@gmail.com
John Smolinsky		
Kathleen Reed		

Town of BETHLEHEM

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LWRAG State Coastal Policy Exercise

The 44 New York State coastal policies are being used for this LWRP. All actions and activities within the Waterfront Revitalization Area (WRA) must be consistent with these Policy standards and guidelines. This table provides a list of the policies and identifies the local conditions applicable to each.

INSTRUCTIONS:

- (1) Please review each coastal policy and the potential local applicability. The applicable Inventory & Analysis (I&A) section and corresponding page number is identified for each policy in the *Local Conditions Applicability* column.
- (2) In the *Discussion/Ideas* column, please identify whether or not the policy applies to the Bethlehem WRA.
- (3) Please be prepared for an interactive discussion with the full LWRAG at the upcoming meeting.
- (4) Bonus Assignment: As an additional step to assist with future tasks, please also feel free to identify any preliminary ideas for projects, any needs or opportunities that should be taken into consideration.

State Coastal Policy		Local Conditions (Inventory & Analysis) Applicability	Discussion/Ideas
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 10.4 (p. 51) ▪ Section 11.2 (p. 53) 	
2	Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.	<ul style="list-style-type: none"> ▪ Section 2 (p. 6) ▪ Section 4 (p. 14) ▪ Section 8 (p. 41) ▪ Section 11.2 (p. 53) 	
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.	Applicable: Under Review.	
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.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 2 (p. 6) ▪ Section 4.3 (p. 15) ▪ Section 8 (p. 41) ▪ Section 10 (p. 48) 	

5	Encourage the location of development in areas where public services and facilities essential to such development are adequate.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 3 (p. 7) ▪ Section 4 (p. 14) ▪ Section 11.3 (p. 55) 	
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 12 (p. 57) 	
7	Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 5 (p. 17) ▪ Section 8.1 (p. 41) ▪ Section 11.3 (p. 55) ▪ Section 12 (p. 57) 	
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.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 2.1 (p. 6) ▪ Section 5 (p. 17) ▪ Section 6.3 (p. 32) ▪ Section 12 (p. 57) 	
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.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 2.2 (p. 7) ▪ Section 3.3 (p. 12) ▪ Section 5 (p. 17) ▪ Section 8 (p. 41) ▪ Section 11.3 (p. 55) 	
10	Further develop commercial finfish, shellfish, and crustacean resources in the coastal area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.	Not applicable.	

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.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 11 (p. 53) 	
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.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 5 (p. 17) ▪ Section 6.3 (p. 32) ▪ Section 11 (p. 53) 	
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.	<ul style="list-style-type: none"> ▪ Section 8.3 (p. 43) ▪ Section 11.3 (p. 55) 	
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.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 11 (p. 53) 	
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.	<ul style="list-style-type: none"> ▪ Section 2 (p. 6) ▪ Section 5 (p. 17) 	
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.	<ul style="list-style-type: none"> ▪ Section 8.3 (p. 43) 	

17	Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 6.3 (p. 32) 	
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.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 12 (p. 57) 	
19	Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.	<ul style="list-style-type: none"> ▪ Section 2.2 (p. 7) ▪ Section 8 (p. 41) 	
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 shall be provided in a manner compatible with adjoining uses.	<ul style="list-style-type: none"> ▪ Section 1.2 (p. 3) ▪ Section 8.2 (p. 42) 	
21	Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related used along the coast.	<ul style="list-style-type: none"> ▪ Section 2.2 (p. 7) ▪ Section 8 (p. 41) 	
22	Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.	<ul style="list-style-type: none"> ▪ Section 2.2 (p. 7) ▪ Section 8 (p. 41) 	

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.	<ul style="list-style-type: none"> ▪ Section 7 (p. 34) ▪ Section 11.3 (p. 55) 	
24	Prevent impairment of scenic resources of statewide significance.	Under Review.	
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.	<ul style="list-style-type: none"> ▪ Section 7.5 (p. 39) 	
26	Conserve and protect agricultural lands in the state's coastal area.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 3 (p. 7) ▪ Section 5 (p. 17) ▪ Section 7.5 (p. 39) ▪ Section 8.1 (p. 41) 	
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.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 4.4 (p. 17) ▪ Section 12 (p. 57) 	
28	Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.	Under Review.	

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.	Not applicable.	
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.	<ul style="list-style-type: none"> ▪ Section 5.5 (p. 29) ▪ Section 6 (p. 30) ▪ Section 12 (p. 57) 	
31	State coastal area policies and management objectives 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.	<ul style="list-style-type: none"> ▪ Section 6 (p. 30) 	
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.	<ul style="list-style-type: none"> ▪ Section 4.2 (p. 14) 	
33	Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	<ul style="list-style-type: none"> ▪ Section 6.1 (p. 30) ▪ Section 6.3 (p. 32) ▪ Section 12 (p. 57) 	
34	Discharge of waste materials into coastal waters from vessels subject to state jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	<ul style="list-style-type: none"> ▪ Section 6 (p. 30) ▪ Section 12.2 (p. 60) 	
35	Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	<ul style="list-style-type: none"> ▪ Section 5 (p. 17) ▪ Section 7.5 (p. 39) ▪ Section 8.1 (p. 41) ▪ Section 12 (p. 57) 	

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.	<ul style="list-style-type: none"> ▪ Section 5.5 (p. 29) ▪ Section 2.1 (p. 6) ▪ Section 12 (p. 57) 	
37	Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	<ul style="list-style-type: none"> ▪ Section 3 (p. 7) ▪ Section 6.3 (p. 32) ▪ Section 12 (p. 57) 	
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.	<ul style="list-style-type: none"> ▪ Section 4.1 (p. 14) ▪ Section 6 (p. 30) ▪ Section 12 (p. 57) 	
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 groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources.	<ul style="list-style-type: none"> ▪ Section 2.1 (p. 6) ▪ Section 3 (p. 7) ▪ Section 12 (p. 57) 	
40	Effluent discharged 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.	<ul style="list-style-type: none"> ▪ Section 5 (p. 17) ▪ Section 6 (p. 30) ▪ Section 12 (p. 57) 	
41	Land use or development in the coastal area will not cause national or state air quality standards to be violated.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 3 (p. 7) ▪ Section 12 (p. 57) 	
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.	<ul style="list-style-type: none"> ▪ Section 12.1 (p. 57) ▪ Section 12.2 (p. 60) 	

43	Land use or development in the coastal area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.	<ul style="list-style-type: none"> ▪ Section 1 (p. 1) ▪ Section 3 (p. 7) ▪ Section 4.3 (p. 15) ▪ Section 8.1 (p. 41) 	
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	<ul style="list-style-type: none"> ▪ Section 5.3 (p. 26) ▪ Section 12 (p. 57) 	