Village of Sylvan Beach
Local Waterfront Revitalization Program

Adopted:

Village of Sylvan Beach Board of Trustees, October 4, 2021

Approved:

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GLOSSARY

CDBG - Community Development Block Grant Program

CFA – Consolidated Funding Application

ECL - Environmental Conservation Law

EPF – Environmental Protection Fund

EIS - Environmental Impact Statement

FEMA - Federal Emergency Management Agency

FIRM - Flood Insurance Rate Map

HMA – Harbor Management Area

LWRP - Local Waterfront Revitalization Program

NDZ - No Discharge Zone

NYPA – New York Power Authority

NYCRR - New York Code of Rules and Regulations

NYS - New York State

NYS DEC - New York State Department of Environmental Conservation

NYS DOS – New York State Department of State

NYS DOT - New York State Department of Transportation

NYS EFC – New York State Environmental Facilities Corporation

NYS HCR - New York State Homes and Community Renewal

NYS OGS – New York State Office of General Services

NYS OPRHP – New York State Office of Parks, Recreation and Historic Preservation

NYSERDA - New York State Energy Research and Development Authority

SEQR - State Environmental Quality Review

SPDES - State Pollution Discharge Elimination System

USACE – United States Army Corps of Engineers

USEPA - United States Environmental Protection Agency (also, EPA)

WAF – Waterfront Assessment Form

WRA - Waterfront Revitalization Area

SECTION 1: VILLAGE OF SYLVAN BEACH WATERFRONT REVITALIZATION AREA BOUNDARY

The waterfront revitalization area (WRA) covered by the Sylvan Beach LWRP encompasses the entire corporate area of the Village of Sylvan Beach and 1,500 feet into Oneida Lake along the western boundary of the Village. The 1,500 feet wide strip along the Village shoreline defines the Harbor Management Area of the Sylvan Beach WRA. The WRA encompasses the considerable number of private artificial and natural canals and inlets connecting the Village's eastern and southern sides with Fish Creek and the Erie Canal, the three significant clusters of federal and state regulated wetlands located on private land in the central and northern half of the Village, and the 1,500 feet of Oneida Lake along the village shoreline, where water-dependent recreational activities connect with related upland uses. The WRA boundary is illustrated on Map 1.1: Sylvan Beach WRA Boundary.

The boundary of the Sylvan Beach WRA begins at the most northwestern point on the Village of Sylvan Beach municipal boundary with the Town of Vienna, on the shoreline of Oneida Lake;

- Thence it follows the northern border of the Village with the Town of Vienna, along the south side of the right-of-way of McClanathan Avenue/Lakeshore Drive to a point of intersection with Main Street/Route 13;
- Thence continues in a general southeastern direction along the municipal boundary of Sylvan Beach with the Town of Vienna and the south side of the right-of-way of McClanathan Avenue for approximately 410 feet to a point of intersection with the centerline of Pleasant Avenue;
- Thence it continues for approximately 1,726 feet in a southeasterly direction along the municipal boundary and the south side of the right-of-way of McClanathan Avenue to a point of intersection with the east side of the right-of-way of Vienna Street, where it then turns in a southwesterly direction;
- Thence the WRA boundary follows the municipal boundary for approximately 550 feet to a point of intersection with the north side of the right-of-way of Marina Drive where it then turns in a general southeastern direction;
- Thence it continues along the north side of the right-of-way of Marina Drive for approximately 550 feet to a point of intersection with the west side of the right-of-way of Harborview Drive, where it then turns in a northerly direction;
- Thence the WRA boundary follows the west side of the right-of-way of Harborview Drive for approximately 1,723 feet to a point of intersection with the east side of the right-of-way of Vienna Road/Route 54A;



- Thence it continues for approximately 351 feet along the east side of the right-of-way of Vienna Road before turning east and continuing for approximately 1,224 feet along the Village boundary with the Town of Vienna;
- Thence the WRA boundary continues for approximately 896 feet in a southeastern direction along the Village boundary with the Town of Vienna before a point of intersection with the west bank of Fish Creek;
- Thence the WRA boundary continues along the Village boundary and the meandering west bank of Fish Creek for approximately one mile to a point of intersection with the north bank of the Erie Canal;
- Thence the WRA boundary continues for approximately 5,090 feet along the Village boundary and the north bank of the Erie Canal in a general southwestern direction to a point of intersection with the Oneida Lake shoreline;
- Thence the WRA boundary continues 1,500 feet in a general southwestern direction along the pier owned by the Canal Corporation before turning northerly;
- Thence it continues for approximately 1.46 miles in a northerly direction along a line parallel with and 1,500 feet west of the Village boundary;
- Thence it turns east and continues for 1,500 feet along a perpendicular line on the shoreline to the intersection with the boundary's starting point at the Village's most northwestern point.

The Harbor Management Area (HMA) of the Sylvan Beach WRA encompasses a 1,500 feet-wide strip of Oneida Lake abutting the village shoreline. The HMA and adjacent downtown host a concentration of diverse water dependent and enhanced uses and facilities. The use of the beach adjacent to the HMA and other water-related activities along the shore that are important for the economic resilience of the downtown are impacted and impact the water quality and water-dependent uses within the HMA.

Pursuant to NYS Canal Law, the Canal Corporation has the authority to regulate navigation, docking, mooring, and swimming activities in Oneida Lake. The Oneida County Department of Health has the authority delegated by the State, pursuant to Public Health Law and the New York State Sanitary Code, to control the use of the village's public beach and facilities. Pursuant to Article 42 of the Executive Law, the village expands its WRA to incorporate an HMA that impacts and is impacted by adjacent upland uses. The expansion of the WRA into Oneida Lake allows the village to enhance its collaboration with State agencies that control the Lake's water dependent uses and structures, and to offer local insight that could inform the decisions of State agencies.





Map 1.1 - Sylvan Beach Waterfront Revitalization Area Boundary
Village of Sylavan Beach Local Waterfront Revitalization Program

SECTION 2: INVENTORY AND ANALYSIS OF EXISTING CONDITIONS WITHIN THE SYLVAN BEACH WRA

This section provides a comprehensive description and analysis of the current conditions within the waterfront revitalization area (WRA) and identifies issues and opportunities that shape the goals and objectives of the Sylvan Beach Local Waterfront Revitalization Program (LWRP).

ISSUES AND OPPORTUNITIES

The Village of Sylvan Beach looks to pursue necessary improvements to existing issues related to local waterfront revitalization. The following are some of the most pressing issues facing the Sylvan Beach waterfront, which are further detailed in this section and reflected in the projects proposed in Section 4 of the LWRP:

- The size and features of the mile-long public sand beach along Oneida Lake are continuously changing and declining due to wind and wave actions. The Village seeks to identify better means to continue to nourish and maintain the beach, to preserve the public's experience.
- The long breakwater owned by the NYS Canal Corporation/NYPA, consisting of a paved breakwater for the first 200-300 feet from shore and a stone breakwater that extends about 1/2 mile out into the lake, needs repair. The stone breakwater has a Safety Flag issued. Also, the NYS Canal Map made available online by the Canal Corporation labels the structure as a navigation hazard. The former use of this structure and its regional importance as a recreational asset could be reached again though sustained rehabilitation efforts.
- Erosion of the banks of Fish Creek has become a problem for the abutting private properties, and sedimentation affects boating on the portion of the creek adjacent to the village. The Village will assist the owners of properties along Fish Creek to initiate a dialogue with the NYS Department of Environmental Conservation (DEC) to identify solutions to control erosion and flooding along the creek.
- The Mariner's Landing Marina, owned by the Oneida Indian Nation, is the only marina within the Sylvan Beach WRA that is open for public docking and boat fueling. While this provides a place for visiting and local boaters, it appears to be too small to service the supply of recreational summer boaters. The community will research the impact of developing a village-owned marina.
- In public meetings, citizens have identified debris and sand as issues with the public beachfront and downtown areas. The Village seeks to better maintain the public realm in these areas.

Sylvan Beach also looks to capitalize on several opportunities that will help improve and enhance the waterfront experience of visitors and residents. The Village has identified the following opportunities to



pursue, which are further detailed in this section and reflected in the projects proposed in Section 4 of the LWRP:

- The Village is committed to improving the tourist amenities at the waterfront park, and it is currently developing the design of a public welcome center with new restroom facilities. In addition, the Village is pursuing installing a new restroom facility in the vicinity of the canal wall.
- Making the recreation and business core of the Village more welcoming to tourists and other visitors, by provision of streetscape improvements and amenities, will serve to improve the quality of tourism experience and increased tourism and business growth.
- The Village will identify enhancements to public access to the beach, particularly where Village streets dead-end at the beach front and in proximity to the public parking areas.
- The Village will continue its efforts to preserve the historic resort aspect of its shorefront, particularly those structures with economic and tourism-related value.
- The Village's existing commercial sector has been sluggish and is now growing slowly. Most commercial establishments are predominantly centered on serving summer water-based tourism and seasonal residents. By examining the strengths, weaknesses, opportunities, and threats associated with its business economy, the Village will address three aspects of improving its business climate: maximizing its traditional seasonal tourism-based business income; expanding its tourism-based business to its year-round potential; and broadening its commercial economy beyond tourism-based business.
- The Village explored the potential for adding publicly owned facilities in 1997, with funding by the Economic Development Program of the United States Department of Housing and Urban Development. Village officials and public meetings have identified the development of a marina as a major need. The increase in canal traffic and the boating tourism market, on which the Village relies as an important element of its tourism-based income, served to underscore this need. The village will need to reexamine if a new marina facility will be an important element in attracting the boating public to the Village, enabling it to grow and enhance its potential tourist market.
- Regional trail networks developed across the State proved to attract more visitors, the village will examine the development of trail linkages to other nearby bike-and-hike trails.

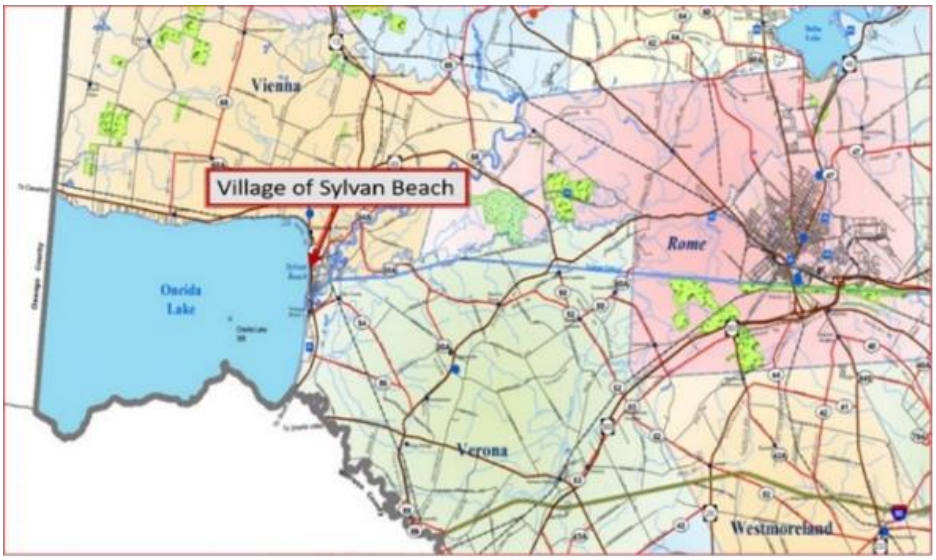
Regional Setting

The Village of Sylvan Beach was incorporated in 1971 and occupies approximately 0.8 square miles at the southeastern extremity of the Town of Vienna, in Oneida County. Appendix D of the LWRP includes historic documents regarding the incorporation of the Village of Sylvan Beach. Its southern and eastern boundaries along the Erie Canal and Fish Creek are shared with the Town of Verona. New York State Route 13 constitutes Main Street, the north-south main artery of the Village's road system.

The Village lies ten miles west of the City of Rome, an equal distance north of the City of Oneida, about 25 miles west of the City of Utica, and about 45 miles slightly north of east of the City of Syracuse. It is within a day's journey of many of the major metropolises of the northeastern United States and eastern Canada.



Equally importantly, the Village lies along the eastern shore of Oneida, between the waterfront hamlets of Edgewater Beach, to the north, and Verona Beach, to the south.



Source: Oneida County

Sylvan Beach's key regional assets are its proximity to population centers and its position athwart two major waterways. These two elements and the scenic views from its Oneida Lake shore make Sylvan Beach a summer resort destination. "Sylvan Beach enjoyed its heydays from about 1891 to 1924. Sylvan Beach became the "Coney Island of central New York" and was a very popular resort community that hosted thousands of seasonal visitors each year. During this time railroad service to this area made it easily accessible for many vacationers in central New York. From dance halls to roller coasters, Sylvan Beach was the place to be for the summer months. After about 1924, with the advent of the easily acquired automobile, the popularity of this resort town began to wane. Destinations that were farther away, such as the Adirondacks, became more accessible to more people.[1]" Additional changes in American lifestyle and vacation habits have modified these aspects of the Village's traditional role into a "day trip" location, although many summer cottages remain in the Village. Today, the local government makes efforts to rebuild the village's reputation as a summer resort destination.

The Lake House at Sylvan Beach, a downtown casino and dining facility operated by the Oneida Indian Nation and opened in 2020, is expected to become a regional tourist attraction. In 2019, the Syracuse.com, a regional media outlet, wrote: "The Oneida Nation, which owns Turning Stone, other casinos and businesses, generated record revenues in 2019 for the state and county, Oneida Nation officials said. The Oneida Nation gave more than $70 million in revenues for New York and $18 million to Oneida County, officials said."

Oneida Lake is arguably the prime recreational outlet for Central New York. It is the largest lake completely within New York State, and is commonly used for boating, swimming, and fishing.

[1] Vienna Woods Unit Management Plan - https://www.dec.ny.gov/docs/regions_pdf/viennadrump.pdf





Source: Village of Sylvan Beach staff.

The Erie Canal, including the former Barge Canal System, passes along the southern edge of the Village, and includes recently renovated docking facilities which are owned by the New York State Canal Corporation. New York State has been implementing elements of its Canal Recreationway Plan (1995) aimed at revitalizing the Canal and its surroundings. Its goals are to preserve and rehabilitate canal infrastructure, enhance recreational opportunities for water-based and land-based users, and to promote and foster economic development throughout the canal corridor. The canal system has been in continuous operation since 1825, longer than any other manmade transportation system on the continent. Madison County was recently awarded a 1.5-million-dollar state grant to improve the canal waterfront in the Village of Canastota. That project may have a spinoff effect of boosting tourism in Sylvan Beach.

In terms of the state's tourism promotion areas, the Village lies within the Central-Leatherstocking Region, whose recent marketing focus has been on the Erie Canal. As the western terminus of the portion of the Canal running through the region, Sylvan Beach has been noted in their publicity and promotion work. Tourism sites within a short distance of Sylvan Beach might also be noted for their potential in coordinated tourism promotion. The following attractions are within 15 miles of the Village:

- Turning Stone Casino and Hotel, Verona, NY, an Oneida Indian-owned major destination,
- Verona Beach State Park, Verona, NY,
- Vernon Downs, a historic harness-racing track in Vernon, NY,
- Fort Stanwix National Monument, Rome, NY,
- Old Erie Canal State Park, a lineal series of preserved segments of the pre-1918 Erie Canal, located from south of Rome westerly along the old canal route,
- Erie Canal Village, Rome, NY,
- Fort Rickey Game Farm, Rome, NY,
- Boxing Hall of Fame, Canastota, NY.



COMMUNITY CHARACTERISTICS AND ECONOMIC CONSIDERATIONS

The Village of Sylvan Beach is characterized by a tourism-based economy and a seasonal population base. There are approximately 897 year-round residents (2010 Census), but summers find a five-fold increase to a seasonal population of approximately 5,000. The year-round population decreased significantly between 2000 and 2010 (around 16 percent). During that period, the populations of the Town of Vienna and Oneida County also decreased (the County very slightly).

Table 1. Population Change 2000 - 2016

	2000	2010	2016 (estimate)	Change from 2000 to 2016
Sylvan Beach	1,071	897	754	-29.5%
Vienna	5,819	5,440	5471	-5.9%
Oneida County	235,469	234,878	232,858	-1.1%
NYS	18,976,457	19,378,102	19,697,457	+3.6%

Source: US Census Bureau

The population of New York State grew slightly during the same period.

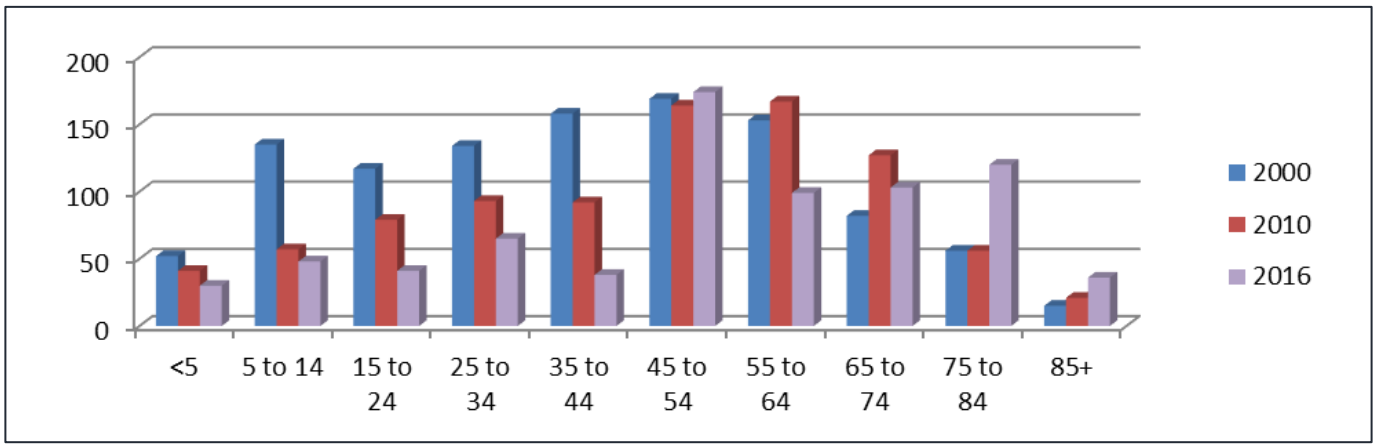
Average household size is also shrinking in the Village, a trend that is mirrored in the Town of Vienna, Oneida County, and New York State. This is a nationwide trend that is the result of decreasing family sizes. Sylvan Beach's average household size is noticeably lower than that of the County and State. The table below shows the trends for average household size (for owner-occupied units) from 2013 to 2016.

Table 2. Average Household Size 2013 – 2016

	2013	2014	2015	2016
Sylvan Beach	2.09	2.16	2.04	2.02
Vienna	2.41	2.29	2.23	2.46
Oneida County	2.53	2.52	2.53	2.53
NYS	2.76	2.76	2.77	2.77

Source: US Census Bureau

Figure 1. Change in Age Cohorts 2000 - 2016



Source: US Census Bureau



Sylvan Beach's population is estimated to have aged dramatically between 2000 and 2016, with the median age increasing from 41.3 to 53.9. This figure is considerably higher than the County at 40.8 and the State at 38.0. Figure 1 shows the change in ten year age groups for the Village during the same period. Every age group under 55 decreased while every age group over 55 increased or remained the same. This data suggests that Sylvan Beach has an increasing lack of families with young children. Like many other communities and areas with declining and aging population, the Village may face increased unemployment due to closing of local and nearby businesses, an increase in vacant properties and potential loss of historic structures that require additional maintenance and investment, difficulty keeping local businesses or enticing other businesses to locate nearby, and an increased demand for social services.

Median household income in Sylvan Beach was reported at $40,063 in the 2016 American Community Survey. This was slightly lower than the surrounding Town of Vienna and noticeably lower than that in Oneida County and New York State.

Table 3. Median Household Income 2016

	Income
Sylvan Beach	$40,063
Vienna	$44,934
Oneida County	$49,838
NYS	$60,741

Source: US Census Bureau

Many year-round residents are involved in the service businesses which support the tourism industry. Some are self-employed (in non-tourism businesses) or retired. Other residents commute to employment in nearby Rome, Syracuse, Utica, Verona, and Oneida. Commutes to distant employment centers require a greater percentage of the family budget to be spent on transportation and reduce take-home pay. This trend particularly impacts low-income families. Based on the US Census Data of 2010, approximately 70% of the local workforce commuted less than 30 minutes to work, while the rest had a much longer daily commute to work. Estimates for 2016 show an increase by 15% in the proportion of people commuting to work for more than 30 minutes. The 2017 American Community Survey 5-year estimate also shows that over 85% of Sylvan Beach residents over 25 years old have a high school diploma or a more advanced education. In the current dynamic economy and job market, education is becoming more and more important and tends to reflect people's ability to learn new skills and adapt to a larger range of jobs. This trend also tends to push highly educated people into jobs that would normally require a lower degree of education.

Table 4. County Unemployment Rates 2016

	Rate
Herkimer County	5.5%
Lewis County	6.7%
Madison County	5.2%
Oneida County	4.8%
Oswego County	6.4%
Otsego County	4.9%

Source: NYS Department of Labor



A comparison of 2016 unemployment rates for Oneida County with the counties surrounding it reveals that Oneida County has one of the lower rates, at 4.8%. Lewis County, to the north, had the highest at 6.7%.

The Village saw a net decrease in housing units from 847 to 830 between 2000 and 2010 but has bounced back in recent years. The Village has an estimated 857 total housing units, as of 2016. The Town of Vienna and Oneida County both saw a modest increase in housing units from 2000 to 2010 before slightly declining in the years since 2010.

Table 5. Change in Housing Units 2000 – 2016

	2000	2010	2016 (estimate)
Sylvan Beach	847	830	857
Vienna	3,037	3,123	3,101
Oneida County	102,803	104,180	103,958
NYS	7,679,307	8,108,103	8,191,568

Source: US Census Bureau

According to the Census data, these residential units are broken down into 447 occupied, year-round units, 318 seasonal units, and 65 vacant units. Older houses in traditional styles tend to be concentrated in the northwest of the Village, between Route 13 and the Oneida Lake shore, while large newer homes are along and near Fish Creek in the east of the Village. A mix of site-built and manufactured housing, much of it of modest size and value, lies in the middle area of the Village between Route 13 and Oneida Road.

The Village has seen an uptick in construction since 2016, with at least six new houses built, a town house complex with 24 unit under construction, a new Dollar General store built, and a casino/restaurant complex completed in 2020.

Business Development and Diversification

The commercial element of the Village is largely directed towards sales to tourists and other seasonal visitors, as one might expect. This produces a quite unusual array, with some business categories well represented and some entirely absent. Commercial lodging facilities within the Village include several recreational vehicle (RV) parks and several cottage-rental operations.

There are waterfront campgrounds and motel operations within the village. There are also a few motels and other commercial lodging facilities in the area surrounding the village. Food-service establishments provide a variety of dining options, with seafood a prominent cuisine. Some of these have an attached bar and provide a "night life" element to the Village's attractions.

The Village has no pharmacy, although these can be found in the nearby Villages of Camden and Canastota. The only groceries available in the village are at a recently opened convenience store (Nice n Easy). There are numerous small shops catering to various aspects of the tourist trade. An amusement park complementing the recreational activities offered by the public beach is a local landmark located in the south of the Village, near the beach area and several restaurants. An economic assessment of desirable local and area goods and services and the associated geographic areas (trade areas) from which most of the customers will come. Conducting such a study is among the projects identified in Section IV.



The Village was recently awarded a $500,000 grant to restore the iconic Yesterday's Royale restaurant building. The pictures below show the building's state of decay before the restauration started and the results of the interior and exterior renovations.







Source: Village of Sylvan Beach staff.

The Village borrowed funds underwritten by a HUD program established in 1998 to create a revolving loan fund aimed at improving economic conditions in the Village, with emphasis on job creation. Two loans made using these funds brought the Village a new restaurant/motel complex and the convenience store mentioned above. It appears that unused loan funds from the HUD program are no longer available. However, the Village has requested that the funds be restored for other economic development purposes.

Police, Emergency Services, and Education

The Village has no police force, as the New York State Police maintain a station on NYS Route 13 in the heart of the Village, and function in most police capacities in the Village, including patrol and traffic control during major events, and foot and bicycle patrols on summer weekend events.

The Village is also served by the Oneida County Sherriff's Department, who provides extra security during the summer season by contract.

The Sylvan Beach Volunteer Fire Department provides fire protection services, and several area ambulance services handle emergency medical responses. The fire department is located on Route 13 in the Village. The Fire Department has recently acquired land adjacent to its present facility in order to construct a new facility in the near future. The present building cannot accommodate the growing size of fire trucks and other equipment. The Fire Department serves a fire district including parts of the Towns of Vienna and Verona as well as the Village. Estimates of service are six to ten structure fires and over 400 emergency medical service calls per year.

The ambulance services respond simultaneously to both sorts of call. The Fire Department has 58 volunteers, nearly all of whom are Village residents. Fire equipment includes a 1976 Mini Pumper, a 2014 Suburban, a 2001 E-One Engine, a 2010 Peirce Rescue Pumper, an ATV, a Rivercraft Airboat, and a 25' Kencraft Rescue Boat.



In addition to normal land-based response, the Fire Department has specifically trained personnel for ice and swift water rescue that have been deployed throughout New York State. The 25' rescue boat operates out of Snug Harbor Marina located outside the Village.

There are no schools in the Village, which is divided between the Camden and Oneida School Districts along a line between 16th and 18th Avenues west of Route 13 and along 21st Avenue east of Route 13. Elementary students south of this line attend the Durhamville Elementary School, with middle school students transported to Wampsville and high school students to Oneida. Elementary students north of the line attend McConnellsville Elementary School, and Camden Middle and High Schools.

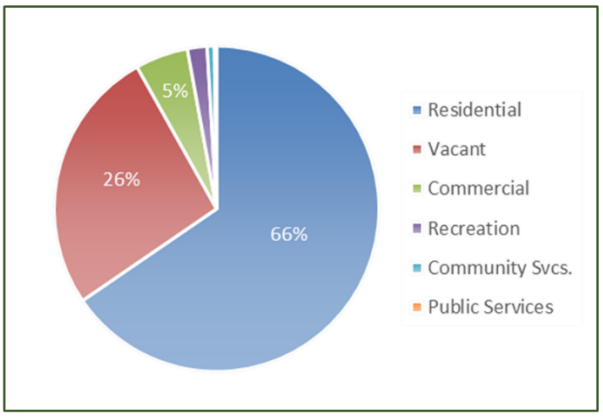
EXISTING LAND USE

The collection of natural, recreational, commercial, ecological, cultural, and aesthetic resources in the community defines its character; and the distribution of developed and open lands establishes a pattern of human use that reflects a historic choice between economic development and preservation of waterfront resources. There are several opportunities within the Village to establish and expand commercial and recreational industries to support the residents and seasonal transient population.

Development, public investment, and regulatory decisions should preserve physical and visual waterfront access and sustain the Village of Sylvan Beach as a center of activity and economic revitalization for residents and tourists. There is a noticeable dichotomy between the tourist-resort facet of the Village on the one hand, most noticeable along Route 13, the Oneida Lake shoreline and in the southern part of the Village and, on the other, the quiet, often water-based residential community lying inland from Route 13 and along Fish Creek.

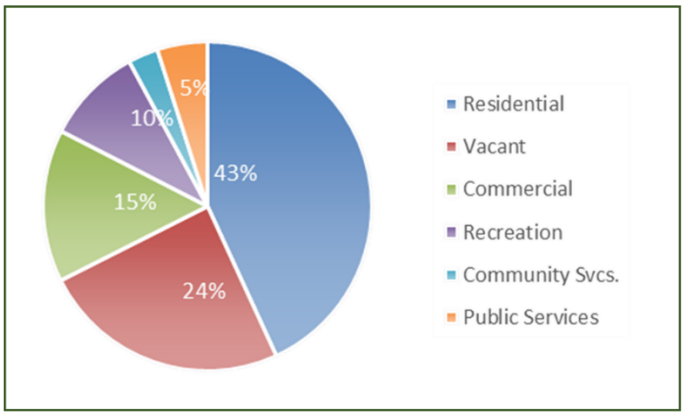
Figures 2 and 3 depict the breakdown of current assessed land uses in the Village by number of parcels and acreage, respectively. The top three land uses by number are residential, vacant, and commercial. The top three by acreage are also residential, vacant, and commercial.

Figure 2. Land Use by Number of Parcels 2017



Source: Oneida County Real Property Tax Department

Figure 3. Land Use by Acreage 2017



Source: Oneida County Real Property Tax Department

Residential uses encompass single family year-round, two family year-round, three family year-round, apartments, seasonal homes, manufactured homes, manufactured home parks, and multi-use/multi-structure. Year-round residential lots constitute the most prevalent use in the Village. Seasonal units are largely occupied only during the summer months by households with permanent residences elsewhere. Many seasonal



properties are concentrated west of Route 13 in the northwest portion of the Village between that highway and Oneida Lake. Apartment units are concentrated in the business district of the Village.

Manufactured homes are scattered throughout the Village and include a concentration in the north central and northeast areas. The manufactured home parks are large parcels under single ownership renting individual small lots to owners or renters of manufactured housing. These are located along Fish Creek in the southeast and northeast of the Village. Many upscale homes near Fish Creek in the northeast of the Village have water access through short riprapped canals.

Commercial land uses make up 15% of the acreage within the Village boundary and include motels, small shops, offices, and a bank located along Route 13 and adjacent to the Oneida Lake waterfront. Seasonal campgrounds, cottage rental operations, an amusement park, and a miniature golf course cater to tourists. Restaurants are clustered along Route 13 and in the southern section of the Village. Most of these uses cater largely to tourists and summer resort-users.

Parking lots are located in the business areas and include lots owned by adjacent businesses and made available for their customers, as well as a large municipal lot adjacent to Oneida Lake. Though only comprising about eight acres in total, they constitute a significant resource to the commercial element of the Village's land use.

Community service land uses include the village hall, the post office, church, the American Legion post, the State Police station and the fire department. Though located throughout the Village, most of these uses are concentrated in the resort district along Oneida Lake and in the south of the Village.

The Oneida County agricultural districts don't include any lands within the Village of Sylvan Beach.



Source: CUGIR library





Map 2.1 - Sylvan Beach Existing Land Use
Village of Sylvan Beach Waterfront Revitalization Program





The Village's sewage treatment plant is located on a large lot on the northern edge of the Village. Community open space in Sylvan Beach occupies an unusually large portion of the Village. It includes the Oneida Lake sand beach, open land along the Erie Canal, Spencer Park (just off Route 13), VanDerlinde Park on the east side of the Village and land adjacent to the Village Hall.

Source: Village of Sylvan Beach website.

ZONING DISTRICTS

The Village is divided into five zoning districts depicted on Map 2.2 Sylvan Beach Existing Zoning and described as follows:

CR – Commercial Resort. The Commercial Resort District is intended to preserve an area within the Village for a full range of commercial businesses that support the local economy. The district is intended to maximize the economic development potential by encouraging infill, reuse and expansion of resort-related businesses. Development is intended to promote an attractive appearance and to be compatible with adjacent residential and commercial uses.

PL – Public Lands. The Public Lands District preserves and enhances the Village's public lands and recreational areas by protecting natural amenities and ensuring governmental or civic facilities are properly located, site designed, and compatible with adjacent development. Public Lands Districts are intended to apply to all publicly owned parks, recreational areas, natural wildlife areas, and waterfront.

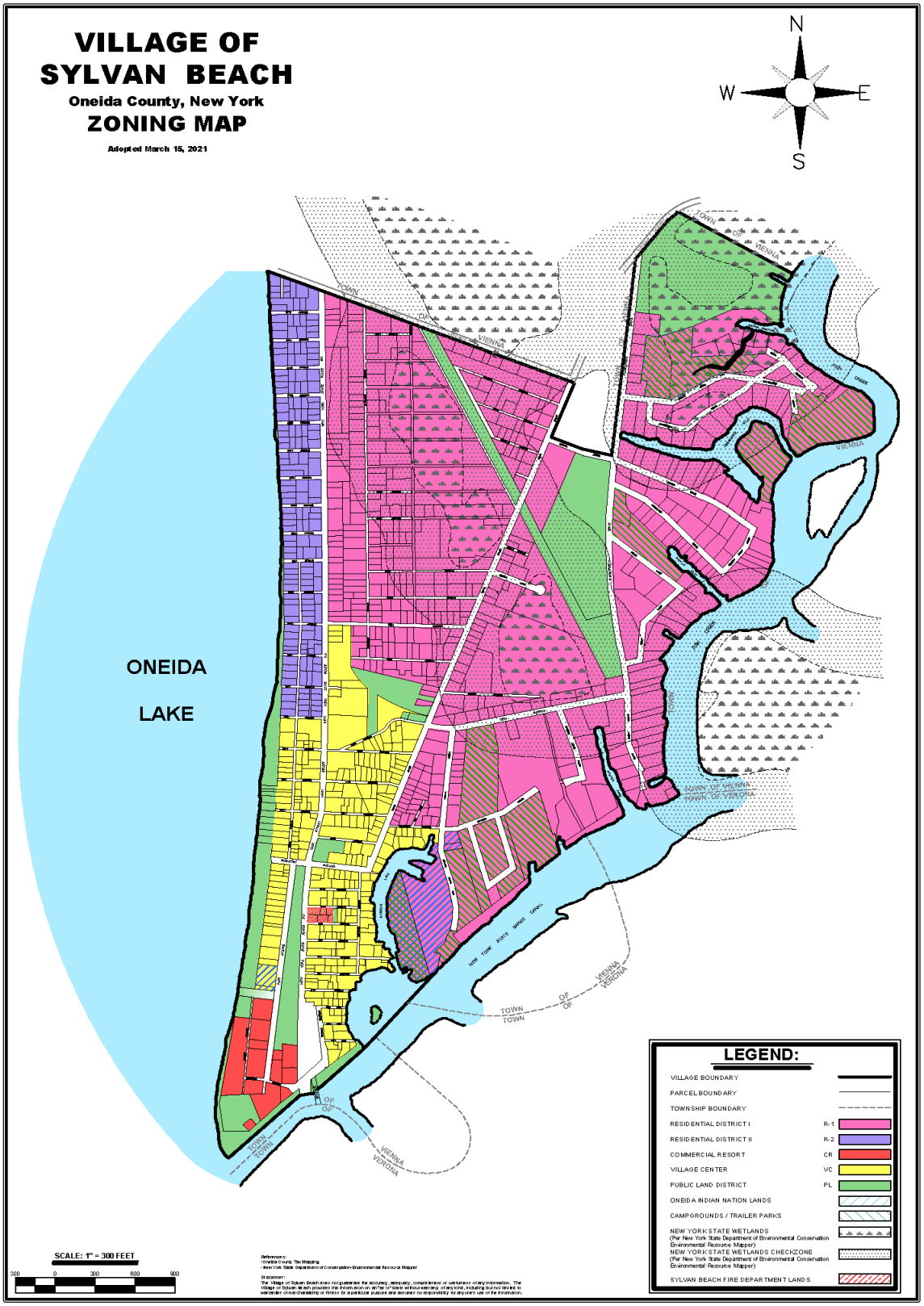
R1 - Single-Family Residential. The Single-Family Residential District is intended primarily for single family residential development in the form of detached dwellings. The purpose is to create a safe haven for people to live and conduct their domestic activities. A degree of privacy is expected, especially in the house and the rear yards.

R2 - Single-Family Residential with transient owner and non-owner occupied and is intended primarily for single-family residential development in the form of detached dwellings. The purpose is to create a safe haven for people to live, vacation and conduct their domestic activities. A degree of privacy is expected, especially in the house and the rear yards.

VC – Village Center

The Village Center District is the cultural and commercial hub of the community and is intended to provide for a diverse and vibrant mixture of resort-oriented commercial and residential development. This district is intended to maximize the economic development potential with infill, reuse, and expansion, and by protecting and enhancing a mixture of uses. Residential uses are intended on upper floors. Active uses are intended at street level to provide an interesting streetscape for pedestrians. Buildings should face the sidewalks and maintain a sense of scale so that they provide visual interest and create safe, inviting, and enjoyable pedestrian spaces. Parking is intended to be available behind, within, or to the side of structures.





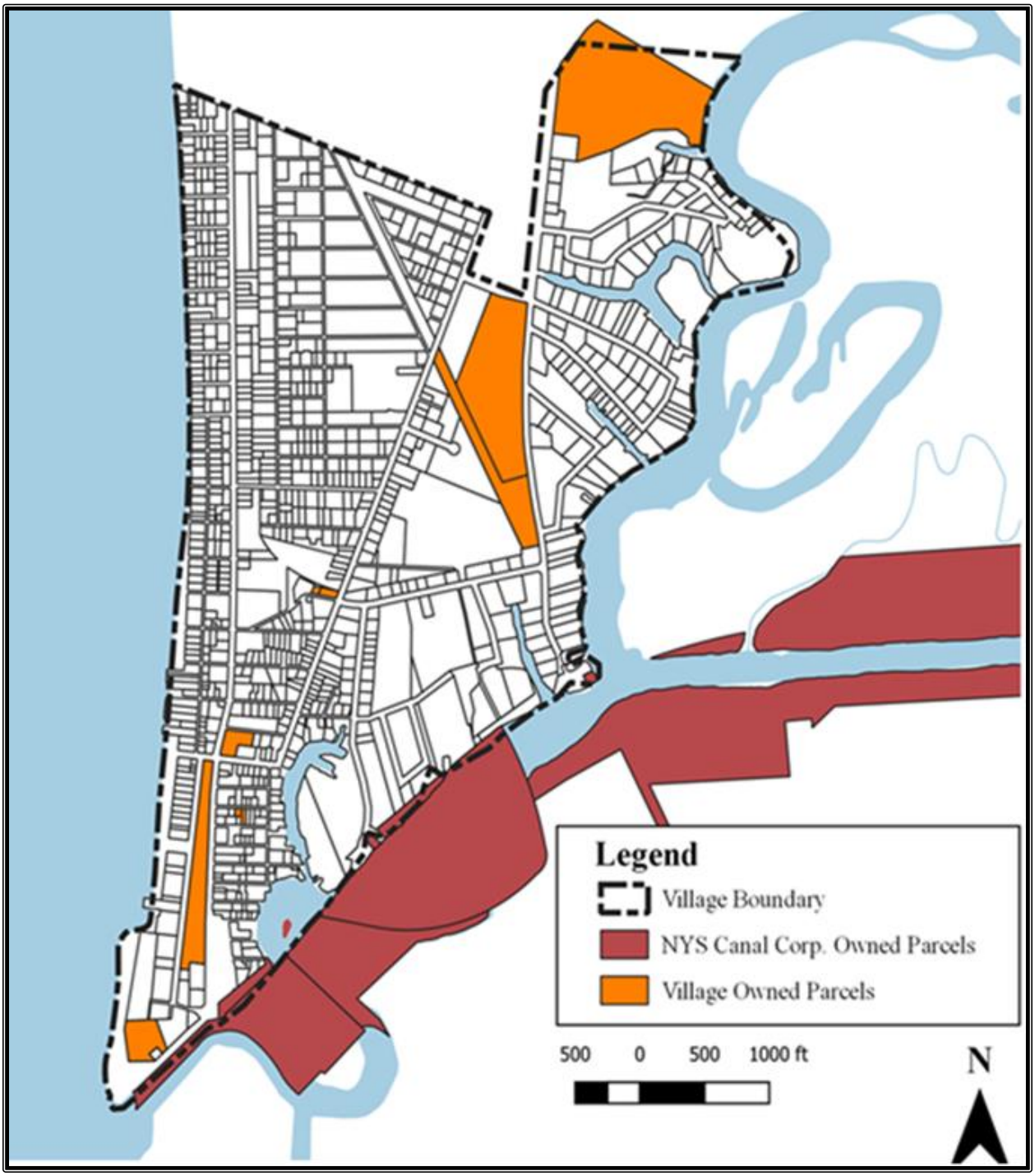
Map 2.2 - Sylvan Beach Existing Zoning

Village of Sylvan Beach Waterfront Revitalization Program



LAND OWNERSHIP

The Village-owned lands and canal lands managed by the Canal Corporation and located within the Sylvan Beach WRA are illustrated on Map 2.8 - Sylvan Beach Land Ownership.



Map 2.8 - Sylvan Beach Land Ownership
Village of Sylvan Beach Waterfront Revitalization Program



EXISTING WATER USE

Oneida Lake and Fish Creek are the Village's main water dependent recreational resources. The lake and creek are heavily used for recreation, with boating, fishing, and swimming throughout the summer months. Ice fishing and snowmobiling are common at the east end of the lake during cold winters, as well. The numbering for the water-related uses described below corresponds to the numbering on Map 2.3 Sylvan Beach Existing Water Use. The map also illustrates the Harbor Management Area within Sylvan Beach WRA.



Map 2.3 - Sylvan Beach Existing Water Uses

Village of Sylvan Beach Waterfront Revitalization Program





1. Sand Beach

An extensive public bathing beach along the Oneida Lake waterfront represents a major and valuable local resource. The public beach extends for approximately 1,200 feet along the western side of the Village, north from the edge of Sunset Park to Akehurst Avenue. The rest of the beach, north of Akehurst Avenue, is privately owned. The public beach provides access for swimming and wading in the lake. Pursuant to Chapter 15. Beaches of the Village of Sylvan Beach Municipal Code, watercrafts are not allowed to navigate or moor within 1,500 feet of the beach and the construction or placement of temporary or permanent structures is prohibited. The separation of water-dependent uses provides a safe swimming area for the beach users. The public beach is a major local and regional attraction and an important scenic resource.



Source: Village of Sylvan Beach staff.

During the warm season, the village hires lifeguards to oversee the use of the beach and the area of the water where the public is allowed to swim. The director of the Oneida County Department of Health has all the powers and duties prescribed in Section 352 of the Public Health Law, which includes the permits for the use of a bathing beach. Each season, the village must obtain a permit to open the beach to the public.



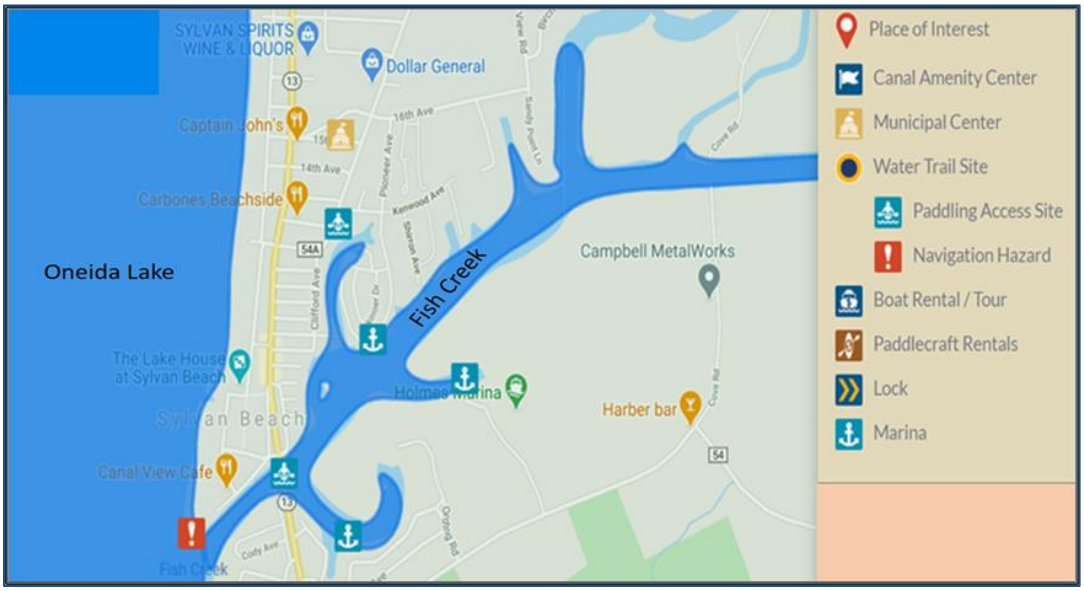
2. Sunset Park

The Village owns and maintains Sunset Park, which is located on the waterfront south of the public beachfront. The 3.6-acre linear park currently has a bathhouse, picnic areas, a pedestrian sidewalk trail along the water, park benches, lighting, and two bocce courts. The park's western boundary is composed of a riprap/stone wall along the lake shore. This riprap has been affected by erosion and is in need of repair and upkeep. Currently, the village is developing the design of a new welcome center that will be located at the northern edge of the park. The new building will include new public bathrooms for the users of the beach. Other improvements to the Sunset Park will be explored by the Village.

3. NYS Canal System

The southern and western boundaries of the Village are delineated by waterbodies that are part of the New York State Canal System, as illustrated in Figure 4. The portion of Fish Creek along the eastern and southern boundary of the Village, which separates the Village of Sylvan Beach from the Town of Verona, and the Oneida Lake, along the western boundary of the Village, are part of the NYS Canal System.

Figure 4. Canal System Waterways Within and Adjacent to Sylvan Beach



Source: Erie Canalway National Heritage Corridor website

Pursuant to the NYS Canal Law, the water-dependent activities undertaken within the boundaries of the NYS Canal System are regulated by the Canal Corporation, these include water levels in the navigable areas of the system, swimming, diving, fishing, hunting at canal structures, boat speeds across the entire canal system, and navigation and mooring on the waterways of the Canal System. Canal regulations also include standards for location and construction of private and public docks along the Canal System, which are included in Appendix B of this LWRP. The upland areas owned and administered by the Canal Corporation are also part of the canal system. The Canal Corporation is currently administered by the New York State Power Authority. The

The canal's original (1918) intended use for heavy transportation by barge is no longer a major factor, but more recent statewide efforts, under the guidance of the Canal Recreationway Plan, to revitalize the Canal for



recreational and tourism purposes are beginning to have an impact on local economies. The Village seeks to cooperate with the Canal Corporation and examine means to revitalize its economy and support the Canal's increasing recreational traffic.

The navigable areas of the NYS Canal System are periodically dredged by the NYS Canal Corporation. The Erie Canal adjacent to the Village's downtown area has been channelized by dredging and by construction of walls topped by a paved walkway with some thirty boat tie-ups, though no ancillary boater facilities such as restrooms, pump-outs and electrical connections are present. The Canal Corporation has jurisdiction over the underwater lands of the canal prism or areas the Canal Corporation dredged for navigation. The rest of the underwater lands of navigable waterbodies are under the jurisdiction of the NYS Office of General Services (OGS).



Source: NYCanals.com

East of downtown, the Canal is edged by normal streamside banks. At the point where the north wall of the Canal enters Oneida Lake, the NYS Canal Corporation owns a 2,300-foot-long pier, now in a severely deteriorated state and posted against trespassing, that extends into the lake in a southwesterly direction. At the end of the pier an equally decrepit rubble breakwater extends 850 feet westerly. These structures are documented extreme hazards to navigation. Reconstruction of the pier and breakwater has been proposed by the NYS Canal Corporation and the U.S. Army Corps of Engineers. These proposals are discussed in Section 4 of the LWRP.



Along the northern bank of the creek there are five State-owned parcels administered by the Canal Corporation. At the mouth of the National Lake inlet, there is a small island owned by the Canal Corporation that could potentially be the



site of a new marina as there is likely enough demand for one in the Village. A study will have to assess the feasibility of a marina at that location and the implications for the ownership of the parcel.

4. National Lake

There is a large embayment adjacent to Fish Creek where it empties into the Erie Canal, known as "National Lake." A small island owned by the Canal Corporation is located at the mouth of the National Lake.



5. Mariner's Landing Marina

There is just one small commercial marina, Mariner's Landing, located within the WRA. This marina is mainly used for docking and fueling. The marina is located on a 5-acre parcel that is owned by the Oneida Indian Nation and has waterfront access to the canal. Mariner's Landing offers a coin-operated pump-out, over 100 boat slips, and covered docks available for both seasonal and transient mooring.

6. Fish Creek

The last two miles of the Fish Creek follows the eastern and southern boundaries of the Village. The Creek is an inlet to Oneida Lake and joins the waters of the Canal System approximately one mile before discharging into the Lake. The Fish Creek watershed area encompasses thousands of acres of forests and agricultural lands and is a significant component of statewide water resources. The West Branch Fish Creek and East Branch Fish Creek join near Blossvale, Oneida County, to form Fish Creek. The creek carries heavy spring runoff from its watershed. The extensive waterfront lots along the creek and its natural and artificial embayment areas have served to draw significant new residential construction in both high and low market value sectors. Present usage of Fish Creek for recreational and fishing purposes by all but the smallest of boats has been impeded by sedimentation and flood-borne debris. The village will investigate if the flooding and boating issues may be alleviated through dredging of the





Creek. This issue requires analysis in cooperation with NYS Department of Environmental Conservation, the Army Corps of Engineers, and the Canal Corporation for the lower segment of the Creek.

7. Privately Owned Docks

There are several areas with private docking slips inside the WRA. While not available for public docking or fueling, these slips do provide benefits to Sylvan Beach residents through access to both Fish Creek and the Erie Canal. The design and construction of private are regulated by the NYS Canal Corporation, NYS OGS, NYS DEC, and US Army Corps of Engineers.

Local uses dependent on waterfront access include the numerous uses to which the Erie Canal access is put, and the five marinas in and near the WRA. Marinas include Mariner's Landing (the only marina within the WRA – 112 slips), Snug Harbor (172 slips), Marion Manor (75 slips), Oneida Lake Marina (100 slips), and Callahan's Marina (120 slips). With only 30 slips available at the Canal wall, there is a serious shortfall in available transient boat slips, especially for larger boats. Numerous local businesses are in the "water-enhanced" category, benefiting greatly from their waterfront or near-water location, such as waterfront restaurants and rental cottages, and all local businesses benefit greatly by the water-related tourism that underpins the Village economy.

The Village of Sylvan Beach aims to maintain its identity as a water-based tourism resort, by encouraging activities such as swimming and recreational boating and fishing, and by potentially adding village-owned docking facilities to the current facilities available for transient boaters. The Village anticipates additional use of its waterfront, with ancillary economic benefits for Village businesses.

Local and Regional Planning Efforts

Comprehensive Plan

The Village adopted its current comprehensive plan in 2001. It was written by SUNY Environmental Science and Forestry (ESF) students as part of a graduate level project.

Zoning and Subdivision Laws

The Village has a zoning law and subdivision regulations in place. While they address the Village's special concerns as a tourism center to a certain extent, they are largely written to address residential and commercial uses and appropriate setbacks and lot sizes. For example, the law does not directly address waterfront access, and regulations regarding visual impact relate to traffic rather than to visual access to the waterfront. A more thorough analysis of the Village of Sylvan Beach's land use regulations as they relate to waterfront revitalization may be found in Section V.

A Management Strategy for Oneida Lake and its Watershed

A watershed is the total land area that drains into a stream, river, or lake. Spanning 872,722 acres (or 1,364 square miles), the Oneida Lake watershed encompasses six counties and 69 cities, towns, and villages. All the surface and ground water from precipitation and snowmelt within the entire region drains into Oneida Lake. Decisions regarding land use within the watershed have a direct influence on the water quality and aquatic



biology in the lake. The protection of Oneida Lake involves all land, lakes, and streams throughout the entire region.

This document contains a description of the environmental setting and cultural influences, background information on the priority water resource issues of concern, and recommendations to address these problems. The Strategy also presents a summary of what was accomplished as part of the watershed management plan since 2000 and recommends future actions to be undertaken within the watershed. To monitor water fluctuations and predict future flooding patterns within the watershed, this Strategy encourages "local, state, and/or federal governmental units in cooperation with the USGS to fund the repair of existing stream and stage gages on Fish Creek, Limestone Creek, Chittenango Creek, and at Sylvan Beach, and to consider the potential for adding additional gages in other areas[2]."

Oneida Lake Watershed Ecosystem Status Report

The Oneida Lake Watershed Ecosystem Status Report was completed in 2011 to include a summary of current conditions and historical trends for several parameters throughout the lake and its watershed and assess the impact of the actions that were taken by organizations throughout the five-county watershed to improve the water quality of Oneida Lake. The report concludes that "Oneida Lake has undergone "fundamental changes in physical characteristics and productivity at the lower trophic levels." Monitoring data shows that Oneida Lake was once classified as eutrophic, a condition that refers to a highly productive or nutrient-rich state. Due to effective reductions in nutrient loading during the past decade however, it now possesses healthy characteristics of a mesotrophic lake, referring to an intermediate stage of nutrient availability and biological productivity. Also, improved management practices on farms and stricter control of stormwater runoff have further reduced the level of nutrient and sediment loading to the lake."

Other regional studies that address Sylvan Beach and its water resources include: NYS Open Space Conservation Plan, 2016; Oneida Lake Watershed Management Plan, 2004; Fisheries and Limnology of Oneida Lake, 2014; Erie Canal National Heritage Corridor3, established in 2001; Oneida County Comprehensive Emergency Management Plan4, 2021; Oneida County Flood Insurance Study, 2013; and, Oneida County Hazard Mitigation Plan5, 2013

PUBLIC ACCESS AND RECREATION

The Village of Sylvan Beach has remarkable present and potential water-based recreational resources. About 65% of the Village limits comprise water boundaries, including the Oneida Lake shoreline on the west, the Erie Canal to the south and southeast, and Fish Creek to the east. Much of the information in this section is derived from "A Tourism Assessment for Sylvan Beach, New York" prepared by a team from the State University of New York College of Environmental Science and Forestry in 1991, which is still relevant.

Almost all of the Oneida Lake shoreline of the Village is a public sand beach with a shallow slope providing beachfront access unparalleled in all of Central New York.

[2] http://www.cnyrpdb.org/ONEIDALAKE/pdf/Managementstrategy/ManagementStrategyFullDoc.pdf
[3] https://eriecanalway.org/
[4] https://www.ocgov.net//oneida/sites/default/files/E911/CEMP/Final%20CEMP.pdf
[5] http://oneidaswcd.org/hazard-mitigation-plan/



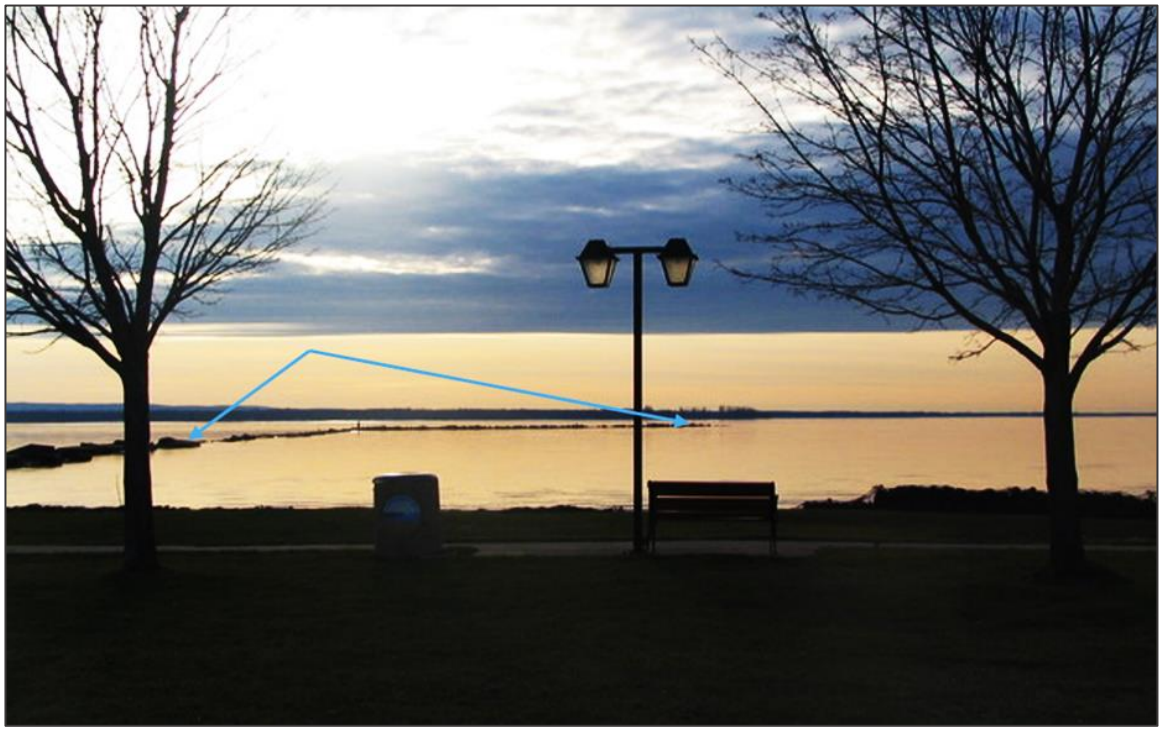


Source: Village of Sylvan Beach staff

A hundred-foot strip at the south end of the beach is a designated swimming area, with lifeguards on duty during the summer season, and an old public bathhouse adjacent to the beach. In Oneida Lake, 1,500 feet offshore from the beach, fishermen and recreational boaters gather in summer months. Map 2.4 - Sylvan Beach Public Access and Recreation indicates the location of the public access and recreation sites.

Sylvan Beach Pier

At the south end of the shore, adjacent to the outlet of the Erie Canal into Oneida Lake, is a half-mile-long pier owned by the NYS Canal Corporation, once used for fishing and for visual access to the lake, but now posted against trespassing due to its decayed state.



Source: NYCanals.com

This pier was formerly a major tourist attraction. At public meetings held in relation to the planning and writing of the 2001 Comprehensive Plan and the LWRP, Village residents spoke out in favor of rehabilitating the pier, in order to restore its former functions of providing docking, fishing, and visual access to Oneida Lake. The pier should also provide a safe and functional walkway with pedestrian amenities.





Map 2.4 - Sylvan Beach Public Access and Recreation

Village of Sylvan Beach Waterfront Revitalization Program



Public Beach Access

Presently, access to this public beach is predominantly gained from its southerly end, adjacent to the amusement park and the municipal parking lot. Several locations where Village streets dead-end abutting on the beachfront can be developed to improve public access. Improved access would be beneficial in the areas south of Ron Ell Street. Such development will principally consist of signage and the planning of attractive entranceways from those streets to the beach.

Appearance and maintenance of such additional beach access points is important in expanding public access to the beach and will enhance visual access as well. Two such beach access points, at Akehurst Avenue and 15th Avenue, have been developed using TEA-21 funding.

Beach Retaining Walls

The retaining walls behind the beach north of the parking area, and separating the beach from properties fronting on it, are considering by some to be unattractive. Over thirty individual property owners constructed such wall to stop the soil on their properties from being caried by pluvial runoff into the sand beach and to protect the properties along the beach from flooding, when the lake water is pushed upland by wind and waves. Each wall is privately owned and maintained. Pursuant to part § 136-47 Fences and Walls of the Village Code, walls shall require a building permit and be maintained and, when necessary, repaired or replaced.

Wooden retaining walls are prohibited. Some of the retaining walls are presentable, and parts are in a dilapidated condition. Reconstruction of the retaining walls is one important aspect to the revitalization of the tourism industry; however, it is notably difficult to recommend actions to repair the retaining wall given the number of individual property owners. Discussions of reconstruction of the retaining wall have resulted in proposals for the addition of a boardwalk with appropriate lighting and other amenities, brought up by citizens at public meetings.



Source: Village of Sylvan Beach staff, 2013



Beach Erosion

As noted above, long-term erosion of the sand beach is a major concern. Estimates by residents and environmental scientists suggest that the beach was over twice as wide forty years ago. Significant longshore drift has reduced the width of much of the beach area, as have the effects of ice movement during the winter.



Source: NYS DOS staff, 2013

Boat Access and Docking

The Erie Canal provides fishing and boating access, and Fish Creek is regularly used for fishing, which is regarded as excellent. There is, however, little public land access to Fish Creek, with the bank largely in private hands. The creek constitutes a valuable resource nonetheless, as property values for the land along the creek are fairly high, owing to the owners having on-site boating access to Fish Creek and hence to the Erie Canal and Oneida Lake.

Docking facilities for boats constitute the major shortfall in water-based recreational resources for the Village. There are two private campgrounds that offer docking facilities, located on Fish Creek away from the main highway. Most of these docking facilities (including approximately 390 slips) are rented seasonally, providing only limited access for transient boaters, and while the marinas provide docking and refueling, they do not have amenities such as restrooms and showers available for the transient user. Their road access and facilities are not well-suited to larger boats.

While docking for thirty boats is available along the north wall of the Erie Canal on a first-come-first-served basis, canal usage sometimes makes such docking difficult. Owing to the canal wall structure, land access to and from smaller boats can be difficult. The 2001 tourism study noted that many boats anchor in the shallow water off the Oneida Lake sand beach and the boaters wade into shore.



Canoe and Kayak Access

Canoes and kayaks are also common watercraft used within the Sylvan Beach WRA. The need for additional boat docking and launching facilities remains a concern. Publicly owned access for this type of watercrafts is limited to a single unmarked carry-in/carry-out launch site off Vienna Road, known as Squire's Landing. This site is currently undeveloped but has potential to become a significant public access area to the National Lake inlet. The area's marina offers private-sector facilities for launching small boats.



Navigation and Docks

The Canal Corporation has general supervision of the canal system and its operating personnel and enforce the faithful administration and observance of the canal law. Enforcement of the NYS Canal Law and related rules and regulations included in Subchapter D Canal System of Title 21. Miscellaneous Chapter III New York State Thruway Authority of the New York Codes, Rules and Regulations (21 CRR-NY III D or Canal Regulations) is carried out through the New York State Police, the Oneida County Sheriff's Department, the Madison County Sherriff's Department, and the New York State Park Police. The Canal Regulations control speed on canals, mooring, dockage, the dimensions of boats that could enter the canal locks, and the aids to navigation along the canal. The excerpt of the NOAA Navigation Chart #14788 included in Appendix C of the LWRP shows navigation features and includes notes indicating that the NYS Canal System is maintained to provide a minimum width of 200 feet in the canalized river and lake sections, a minimum width of 75 feet in the land line sections, and a minimum depth of 12 feet at ordinary water stage. Aids to navigation on the NYS Canal System, such as light labeled P on the map and fog signals labeled R on the map, are the responsibility of the Canal Corporation. It also notes that minimum vertical clearance at Maximum Navigable Pool Level under bridges and gates along the Erie Canal east of Three River Point is 20 feet.

Section 100 of the Canal Law authorizes the Canal Corporation to "issue revocable permits granting certain limited privileges therein, whenever the same can be done without detriment to Canal navigation or damage to the banks or other structures thereof." In addition, the Canal Corporation provides specific standards for the design and construction of residential/non-commercial docks, decks, platforms, and boat launches and ramps on the Canal System. The docks on the Canal System cannot exceed 40 feet in length, with a maximum dock length of 100 feet. No dock shall interfere with Canal navigation, by either physically impeding navigation or obstructing the vision of boaters traveling on the Canal System. One dock per property owner (residential) is permitted. More than one dock shall be treated as a commercial dock installation. Commercial docks, as well as docks larger than the established size standard established are analyzed on a case-by-case basis. Any new dock installations or extensions to current docks requires a permit.



Underwater Lands

Title of the bed of numerous bodies of water is held in trust for the people of the State of New York under the jurisdiction of the Office of General Services. Structures and utilities, including fill, located in, on, or above state-owned lands now or formerly underwater are regulated under the Public Lands Law. Permission may be required to build on these lands, including docks, boathouses or marinas, or to install utilities over or through.[6]

The Bureau of Land Management of the NYS Office of General Services (OGS) is responsible for the administration of Article 3, Section 32, of the Navigation Law, regarding location of structures in or on navigable waters, and issues grants, leases, and easements for the use of underwater lands and for other interests for docks and associated marine-related structures that are placed on State-owned underwater lands. The construction of any commercial dock or any private, non-commercial dock that exceeds 4,000 square feet in area size (including the perimeter) would require the granting of an interest, in the form of a grant or easement, from the OGS. In addition to issuing grants, leases, easements and other interests for the use and occupation of these underwater lands, the NYS OGS also investigates encroachments on the littoral right of an upland owner to access the navigable waters of the lakes or river and makes sure there is no interference with navigable channels, and reviews all NYS DEC and US. Army Corps of Engineers permit comments for proposed projects that affect State-owned bottom lands to ensure that the benefits of the public will not be deprived, and that the environment will not be adversely impacted. Also, NYS OGS covers the administration of Article 5, Section 233, Subsection 5, of the Education Law on removal of archaeological and paleontological objects under the waters of the State.

Appendix D of the LWRP includes maps and historic documents indicating approved easement granted to the Village of Sylvan Beach on Oneida Lake, within the Sylvan Beach WRA.

Legal Controls, Rules and Regulations

With the exception of only two aspects that require municipal control, the Village of Sylvan Beach regards the current State laws and regulations, including the NYS Navigation, Town, and Canal Laws, as adequate to control current and future competing water-dependent activities and the intensity of boating along the portion of the Canal within the Sylvan Beach WRA. The Village considers necessary to protect those users of the public beach that enjoy swimming in the Lake water adjacent to the beach and provide more people coming by boat with the opportunity to moor their boats and visit the attractions located within the Sylvan Beach WRA.

Chapter 15. Beach of the Village Code prohibits boating, mooring, or docking 1,500 feet from the public beach along Oneida Lake. This local law effectively separates competing water-dependent uses within 1500 feet from the public beach and increases the safety of the beach users by prohibiting navigation and allowing that area to be used only for swimming, wading, and bathing. The same local law also prohibits the location or construction of temporary or permanent structures on the public beach, which increases the safety of the beach users and protects the beach quality and its scenic views.

Chapter 14. Mooring at Publicly Owned Docks, Marinas, Walls of the Village Code was created to limit to 72 hours the time a vessel may be continuously moored to any public facility within the WRA, which provides

[6] https://ogs.ny.gov/real-estate/lands-now-or-formerly-underwater



more boaters with the opportunity to moor their boats in the Village WRA and visit the attractions of the Village downtown.

No Discharge Zone

Sewage from boats often contains harmful levels of pathogens and chemicals that harm water quality, pose a health risk, and impair marine life and habitats. Federal law prohibits the discharge of untreated boat sewage within most navigable waters of the U.S. To take water quality protection a step further, the New York State Canal System was designate a No Discharge Zones (NDZ) in 2010. It is illegal to discharge treated or untreated sewage from boats. Boaters must instead dispose of their sewage at pump-out stations available at some marinas.

Fishing and Hunting

Warmwater fish species inhabit the Barge Canal at Sylvan Beach year-round. Everyone must have a valid freshwater fishing license in their possession while fishing or helping someone to fish in freshwater streams and waterbodies of New York State. Persons holding a freshwater fishing license may take freshwater fish by angling, spearing, hooking, longbow, nets, traps and tip-ups; take frogs by spearing, catching with the hands or by use of a club or hook; and take baitfish for personal use, all as permitted by law or NYS Department of Environmental Conservation. The Statewide angling regulations and the special regulations by county control when fishing could occur and the quantity of fish that could be caught.

The regulations included in 21 CRR-NY III D and applicable to the entire NYS Canal System prohibit swimming, diving or fishing in the lock chambers or from the lock walls or any other canal structure. Hunting on, at or near canal locks or any other canal structure is also prohibited. Canal Corporation does not grant any person hunting permits or permits to fish in any of the canals of the State or in the State reservoirs.

The NYS DEC is the only State agency given authority to issue fishing and hunting licenses.

Swimming and Diving

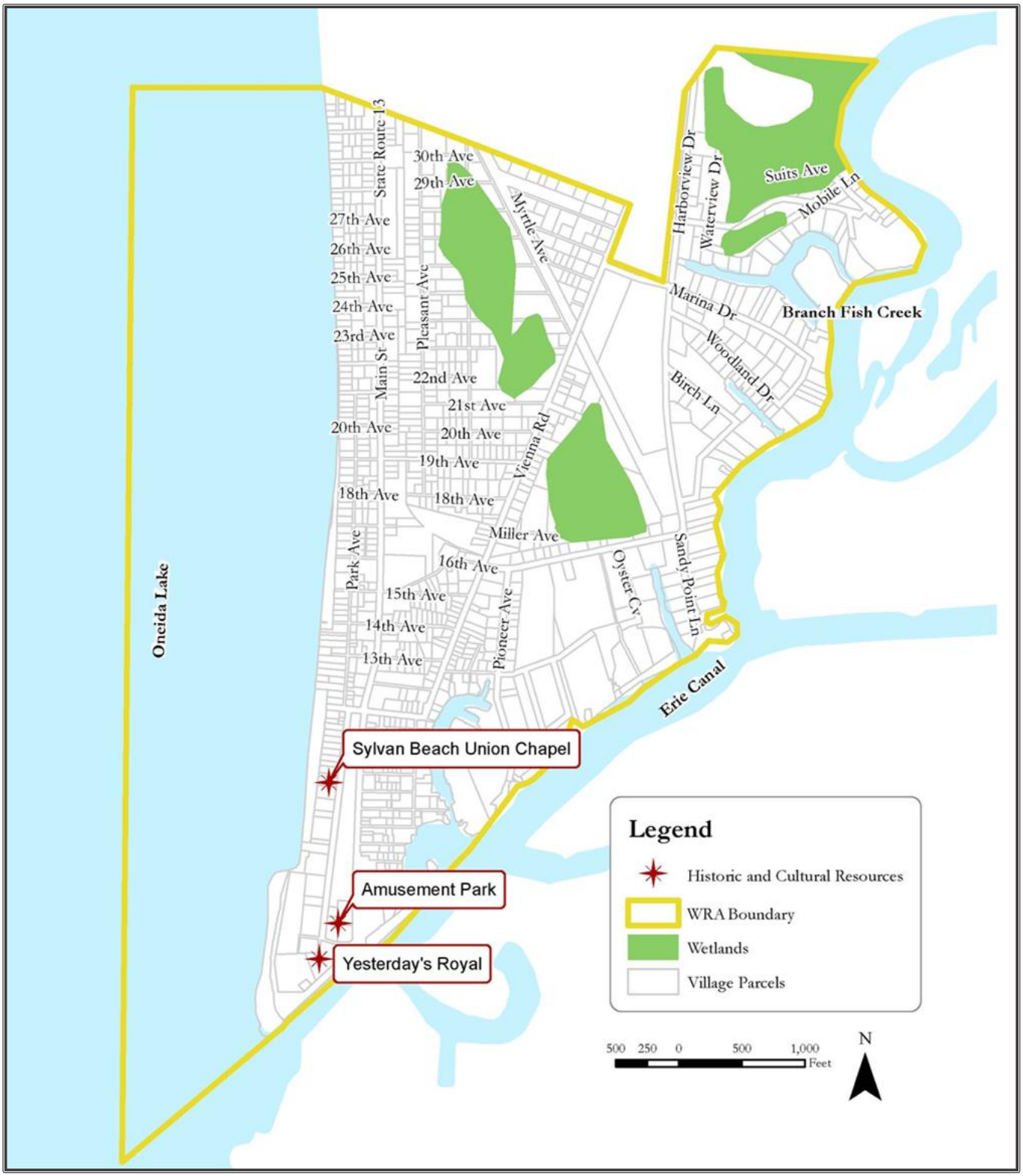
The portion of the Oneida Lake adjacent to the public beach is the only public area within the WRA that allows swimming. To separate conflicting uses within this area the Village developed Chapter 15. Beach of the Village Code to prohibit navigation and mooring of any watercraft within 1,500 feet of the shoreline along the public beach, which establishes a safe swimming area adjacent to the public beach.

There are no formal diving sites or underwater attractions with the Sylvan Beach WRA.

Management Plan for Lake Closures

The Village Board will advocate with the Oneida Lake Association regarding the creation of a management plan for dealing with lake closures due to pollution influxes to Oneida Lake. This may include intermunicipal agreements between Oneida Lake communities, including the Village of Sylvan Beach, Oneida County and the New York State Canal Corporation.





Map 2.5 - Sylvan Beach Historic and Cultural Resources

Village of Sylvan Beach Waterfront Revitalization Program



HISTORIC AND CULTURAL RESOURCES

Though the Village of Sylvan Beach has a rich resort history, the ongoing development of new tourism-based businesses and related activities has left it with scant historic structures. Map 2.5 Sylvan Beach Historic and Cultural Resources illustrates the location of structures of historic and cultural importance. A few of the old structures have been adapted to modern use, such as the Yesterday's Royal, a former hotel transformed into a restaurant complex that has preserved the historic exterior and interior of the structure. such as the historic Yesterday's Royal restaurant awarded that funded its renovation started in 2019.The Village was awarded a $500,000 Restore NY grant that funded improvements to Yesterday's Royale. Many of the older houses are intact representatives of significant architectural styles, notably the Queen Anne Style, though renovation has generally taken place. An important historic asset in the village is the amusement park, located between the southern extremity of the Oneida Lake beach and NYS Route 13, which is the oldest operating amusement park in New York State. The Union Chapel that fronts the public beach is also an important landmark. The Union Chapel is an interdenominational church built in 1887 on land donated by the Spencer family. It is open only during the tourism season and the sides open up, creating an almost outdoor service. The Union Chapel is on the State and National Registers of Historic Places.

The Village of Sylvan Beach plans to explore facilitating the preservation of significant remaining structures through the State Historic Preservation Office (SHPO). This is appropriately done after conducting an inventory of such structures in accordance with the policies of SHPO, which regularly has funding available for the purpose. A project to produce such an inventory is part of Section IV.

In 1977, prior to construction of the Village's sanitary sewer system, a comprehensive and complete cultural resource survey was conducted. No evidence of artifacts or significant archeological resources was discovered. In 2010, prior to construction of an 8,000 linear-foot federally funded sidewalk project, another cultural resource study was conducted. The results of the 2010 survey confirmed the findings of the 1977 survey. It appears very unlikely that significant archeological resources are present in Sylvan Beach. The Village will continue to conduct cultural resource surveys as appropriate for any project that may require it and will prohibit appropriation of any object of archaeological or paleontological interest situated on or under lands owned by New York State, except as provided for in Education Law, § 233.

AMENITIES AND SIGNAGE

The Village of Sylvan Beach is aware of the importance of tourism and the need to welcome visitors. The bathhouse at the swimming beach at the southerly end of the Village's Oneida Lake shoreline is in need of replacement. A new 4,000 square foot facility combined with a welcome center has been planned and designed. More details about the design of this facility are included in the description of the Sylvan Beach Welcome Center, a proposed project included in Section 4 of the LWRP. A new restroom facility was added in 2003, located in the downtown area of the Village directly across Route 13 from the Village Park at the corner of Vienna and Main Streets (known as Carrello's Corner). The Village could still benefit from the development of more restroom facilities, particularly along the Canal Dock.



Efforts to improve visual aesthetics and public comfort in the tourist-frequented areas of the Village include installation of trash receptacles, benches, brick paver-style crosswalks and sidewalks, street trees, and bicycle racks.

The Village has welcoming signs and significant directional signage in place. Recent grant applications and other proposed projects have included informational kiosks as integral elements of the projects proposed. An integrated and consistent signage policy is under consideration by the Village. The Village will identify points along the waterfront and in the Village proper where placement of kiosks will accomplish the goals of highlighting the Village's historic, cultural, recreational, and natural attractions. It is anticipated that placement of such kiosks will result in a greater appreciation of the Village's assets, resulting in an increase in visitor usage and a more stable economy. The Village will address and prioritize locations where such kiosks seem most needed and obtain funding for their construction and maintenance.

SCENIC RESOURCES

Sylvan Beach has a variety of scenic resources unusual for a village of its size. Its entire western edge is a sand beach fronting Oneida Lake, all of which is open to public use. Since it looks west, it provides unobstructed sunset views over a 28 mile stretch of Oneida Lake for strolling visitors. Beach, waterfront, and sunset views are also significant components for residential properties along the numerous short streets running west from Route 13 to the shoreline.

Refurbishing the pier could provide new viewsheds of sunsets for pedestrians. The pier would also provide views back toward the beach and the row of cottages that stand behind it.

The Village is located on the historic Erie Canal at the point where it joins Oneida Lake, offering residents and visitors the opportunity to observe waterborne traffic on the oldest through water route still operating in the United States.

The majority of significant viewsheds in Sylvan Beach are included in public right of ways, which are protected from development by the Village. Because of this, no additional actions need to be taken at this time to preserve scenic resources.

Map 2.6 Sylvan Beach Scenic Views indicates the locations of the most scenic views from the Village shoreline to Oneida Lake and the channelized segment of the Fish Creek, near the point where its waters flow into Oneida Lake.





Map 2.6 - Sylvan Beach Scenic Views

Village of Sylvan Beach Waterfront Revitalization Program



SURFACE AND GROUNDWATER WATER QUALITY

Owing to the Village's extensive shoreline, there are two distinct elements to be considered as regards water quality: Fish Creek and Oneida Lake. The brief length of the Erie Canal abutting the Village is fed predominantly by Fish Creek and Wood Creek, and while its use by boats will inevitably affect water quality, the regulations of the New York State Canal Corporation and NYS Department of Environmental Conservation are significant in maintaining Erie Canal water quality.

Title 5 of Article 15 of the Environmental Conservation Law (ECL) sets forth the policy of New York State to preserve and protect these lakes, rivers, streams and ponds**.** All waters in New York State are assigned a letter classification that denotes their best uses. A NYS Protection of Waters Permit is required for the disturbance of the bed or banks of a protected stream, which includes water bodies in the course of a stream of 10 acres or less, with a classification of AA, A or B, or with a classification of C with a standard of (T) or (TS)**.** In addition, for a stream classified as C (T) or above, a Protection of Waters Permit is required for the excavation or placement of fill in any navigable waters of the state, including ponds, lakes, rivers and navigable streams or for the placement of a structure in, on or over a waterbody. Adjacent and contiguous wetlands are also subject to permitting, in addition to the water body or watercourse itself. Small ponds and lakes with a surface area of 10 acres or less, located within the course of a stream, are considered to be part of a stream and are subject to regulation under the stream protection category of Protection of Waters. However, a permit is not required for navigable waters that are surrounded by land held in a single private ownership[7]**.**

Fish Creek

Fish Creek borders the Village to the east for the final two miles or so of its length. It rises on the Tug Hill plateau in Lewis County, and flows through the Towns of Martinsburg, Montague, West Turin, Osceola, Lewis, Annsville, and Vienna, being joined by a West Branch flowing through the Towns of Williamstown and Camden. The greater share of its flow comes from the East Branch, here considered the main stream by many local residents and regional planners.

In 1982, the National Park Service conducted a study of the east branch of the Fish Creek watershed to consider it for inclusion in the Federal Wild, Scenic, and Recreational Rivers system. As a result, local towns voluntarily adopted local land use regulations aimed at managing land uses along the banks of upper Fish Creek, with the idea of keeping it as a pristine stream, while not negating the profitable lumbering and second-home development that are the predominant uses of land along its banks. Along with this effort, the Town of Annsville recently completed construction of a new wastewater collection and treatment system for the hamlet of Taberg, part of which had discharged raw sewage into Fish Creek. As a result, when Fish Creek reaches Sylvan Beach, its flow is of high quality. Owing to the fairly large area of its watershed, it is an important minor element of the statewide water resources inventory.

The Village of Sylvan Beach Sewage Treatment Plant discharges treated effluent into Fish Creek one mile above where it empties into the Erie Canal. In 2019, the NYSDEC issued a Consent Order to the Village of Sylvan Beach which, in essence, requires the Village waste treatment plant to convert to a new and more effective process that will enable the Village to comply with the limits outlined in its State Pollution Discharge

[7] Waterways, Coastlines & Wetlands Permits - https://www.dec.ny.gov/permits/96314.html



Elimination System (SPDES) Permit. Implementing these changes will require a $30.0 million upgrade to the Village's treatment facility in order to convert to new wastewater treatment process.

All waters in New York State are assigned a letter classification that denotes their best uses. Fish Creek has Class C waters, meaning that these waters shall be suitable for fish, shellfish and wildlife propagation and survival. The water quality shall be suitable for primary and secondary contact recreation, although other factors may limit the use for these purposes.

Oneida Lake

According to the United States Geological Survey (USGS), Oneida Lake is a eutrophic lake, a moderately shallow relict of the post-glacial flooding that occurred over much of Central New York. By eutrophic, limnologists mean a water body with a tendency to summer algal blooms. Within the historic period, the lake's water quality has always been affected by these cyanophyte blooms, which sometimes produce swirling multicolored patches on the water surface and give off pungent odors as they decay. One major cause of these blooms was phosphorus from agricultural fertilizer runoff, and the banning of phosphorus-containing fertilizers in 1973 reduced the lake's phosphorus content by 50%, decreasing algal blooms.

Fish Creek and a few minor streams on the north shore of the lake together provide two-thirds of the inflow to the lake, but only 20% of the nutrients for the lake's ecosystem. The remaining nutrients come from south shore tributaries.

The overall water quality in the lake is classified by the NYS DEC as Class B, meaning that the water is appropriate for both primary and secondary contact via recreation and fishing. These waters are also suitable for fish and wildlife propagation and survival.

Oneida Lake water quality improved during the 1990s through a beneficial aspect of an immigrant shellfish usually regarded as a problem: the zebra mussel. Zebra mussels are native to Eastern Europe and are believed to have entered the Great Lakes by discharge of ballast from ships originating in that area and coming up the St. Lawrence Seaway.

Oneida Lake's shallowness and openness combine to produce above-normal mixing of waters. This and its warm summer temperatures and high calcium content produce ideal zebra mussel habitat. The zebra mussel lives by siphoning up to a quart of water daily and filtering out algae and organic debris. This has greatly changed Oneida Lake's clarity and in consequence strongly affected its ecosystem, which is discussed below. Oneida Lake's algal blooms and rooted lake vegetation have historically impaired recreational use of the lake. Although the Village's beach is made up of sand without significant rooted vegetation, occasional storms uproot aquatic vegetation and deposit it on the beach.

The Village participated in the completed Oneida Lake Watershed Study conducted by the Central New York Regional Planning and Development Board, in whose member counties most of Oneida Lake is located. The Village is also committed to running its sewage treatment plant in accord with DEC standards. The Village's sewage treatment conforms to the DEC standards intended to prevent the over-fertilization of Oneida Lake and consequent eutrophic growth.

The major concerns for human-originated impacts on the lake arise from shoreline areas in Madison and Oswego Counties, relatively remote from the Village. Water quality in Oneida Lake is considered to be generally good, according to DEC data, though chromium, iron, lead, zinc, copper, and aluminum



compounds were present in samples taken at the western end of the lake, in quantities above the minimum reportable level but not at levels to arouse concern.

The Village of Sylvan Beach identified the following major concerns to the Oneida Lake Watershed Study in its 2002 survey of watershed community municipal concerns. Though they extend across most of the subject areas addressed in the LWRP, the summary, which concerns itself with watershed management, probably fits best here, as addressing water quality and interrelated concerns.

> *The issues of highest concern for this municipality [Sylvan Beach] are economic development, tourism enhancement, and planning (regional/ long-term). Non-native plants and animals (including zebra mussels and water chestnut), aquatic vegetation, the impact of cormorants on fisheries, and the need for long-term population control of nuisance species are additional concerns for the municipal representatives. Another issue of high concern is the reduction of fish populations in Oneida Lake. Intoxicated boaters and personal watercraft operators, insufficient public access, and a lack of available docking space are recreational issues that should be addressed. Streambank and lakeshore erosion are additional concerns in Sylvan Beach, as well as the maintenance of lake and streambank protection structures, flooding, highway maintenance, and the storage of road salt. Of all these issues, municipal representatives stated that the highest priority topics include erosion and sedimentation, water quality, personal watercraft and boater safety, and the availability of public access and docking space. Technical and financial assistance, in addition to education, are products that these representatives would like to see develop from the Watershed Management Plan. On a scale of 1 to 10, municipal representatives rated the overall quality of Oneida Lake as 5 (Good).*

WETLANDS

Wetlands are transitional areas between terrestrial and aquatic environments where the water table (the level of groundwater) is at or near the ground surface or the land is covered by shallow water. These areas often act as groundwater recharge areas, areas for filtering and cleaning water, and as significant wildlife habitat. Map 2.7 Sylvan Beach Wetlands and Flood Hazard Areas identifies the general location of State and federal wetland within the Sylvan Beach WRA.

There are three classes of State-regulated wetlands within the Sylvan Beach WRA, a class 4 located in the center of the WRA and covering14.6 acres, a class 3 located in the northwestern side of the WRA and covering 19.4 acres, and a class 2 located in the northeastern corner of the WRA and the adjacent town and covering 737.4 acres. Activities proposed in any of these three groups of wetlands and their buffer zones are regulated by NYS Department of Environmental Conservation.

The New York State Freshwater Wetlands Act, also known as Article 24 of the Environmental Conservation Law, protects all wetlands of 12.4 acres or larger. NYS Freshwater Wetland regulations identify compatible uses for conducting activities in wetlands. A NYS Freshwater Wetlands Permit is required for any physical disturbance, within the boundary or within the adjacent area of a state protected freshwater wetland. The adjacent area usually extends 100 feet from the wetland but has been extended beyond 100 feet under unusual circumstances.





Map 2.7 - Sylvan Beach Wetlands and Flood Hazard Areas

Village of Sylvan Beach Waterfront Revitalization Program



The NYS Department of Environmental Conservation regulates activities in freshwater wetlands and in their adjacent areas. Almost any activity that may adversely impact the wetlands, or their adjacent areas, is regulated. All necessary permits need to be obtained before commencing work on a project that requires any DEC permit.

Examples of activities that require a permit include:

- Constructing buildings, roadways, septic systems, bulkheads, dikes, or dams
- Filling, excavating, or grading
- Modifying, expanding or extensively restoring existing structures
- Draining, except for agriculture
- Clearing trees and eliminating other vegetation
- Applying pesticides

The National Wetland Inventory (NWI) classifies wetlands according to a different system used by the U.S. Fish and Wildlife Service (FWS) to map and inventory the Nation's wetlands. At the most general level of the classification system, wetlands are grouped into five ecological systems: Palustrine, Lacustrine, Riverine, Estuarine, and Marine. The Palustrine System includes only wetlands, whereas the other systems comprise wetlands and deep-water habitats. The systems identified within the Sylvan Beach WRA are palustrine and consist of nontidal freshwater wetlands in which vegetation is predominantly trees, shrubs, persistent or non-persistent emergent, erect, rooted herbaceous plants (persistent- and nonpersistent emergent wetlands); or submersed and (or) floating plants (aquatic beds). Also, intermittently to permanently flooded open-water bodies of less than 20 acres in which water is less than 6.6 feet deep. The US Army Corps of Engineers regulates the dredging, the discharge of dredged or fill material, and the construction of certain structures in waterways and wetlands.

Fish and Wildlife

Analysis of Sylvan Beach's water-based zoological resources requires primary attention to Oneida Lake, with due consideration to Fish Creek and the surrounding wetlands areas as a secondary factor. This subsection will address the ecology of the lake, followed by its fish and wildlife resources, and finally the biology of Fish Creek and nearby wetlands. The Environmental Resource Mapper created by NYS Department of Environmental Conservation does not identify any Significant Natural Communities within the Sylvan Beach WRA. However, the waterside of the WRA is identify as the potential location of Lake Sturgeon, which the American Fisheries Society has listed as a threatened species in all the states where it occurs. The NYS Department of Environmental Conservation (DEC) is collecting biotic and abiotic data on lake sturgeon populations, and it has been using artificial propagation of this species to reestablish populations in selected tributaries of Lake Ontario, including Oneida Lake.

As was noted above, the ecology of Oneida Lake is undergoing major changes. Prior to the 1970s the lake was strongly eutrophic, with an ecosystem where nutrients from the south shore tributaries encouraged algal growth which was, in turn, consumed by zooplankton with Daphnia a leading constituent. The zooplankton provided a food source for the "higher" life forms of the lake's ecosystem. Growth of algae in the summer, beyond the zooplankton's consumption capacity, led to algal blooms covering much of the lake. The outlawing of phosphates as a component of agricultural fertilizers in the 1970s and the accidental introduction



of zebra mussels in the 1980s resulted in a clarification of the waters and reduced algal growth, at least of the cyanophytes responsible for the blooms. This promoted the growth of rooted weeds (also technically algae, but of different forms than the floating cyanophytes), providing additional cover for shallow water fish species. The long-term impact of the greater lake clarity and cessation of the periodic algal blooms on the deep-water fish species is not yet known.

In the 19th and early 20th centuries, Oneida Lake was noted for ciscos (termed "whitefish"), eels, chain pickerel, walleyes, and northern pike. The damming of the Oswego River, which connected Oneida Lake to Lake Ontario and thence with the Atlantic via the St. Lawrence, resulted in the decline of eels. Cottage development and other shoreline construction, with the draining of wetlands, meant that the pickerel and northern pike, which spawned in lakeshore marshes and adjacent wetlands, also dropped in numbers.

The current game fish common in the lake include carp, walleye pike, yellow perch, gizzard shad, and freshwater drum. Other interesting and significant species constitute a minor component. DEC and Cornell University estimates suggest that the lake's walleye population ranges from 200,000 to one million, with anglers' catches averaging about 25% of the population, between 50,000 and 450,000 per year. DEC controls walleye harvest by anglers with flexible regulations. Estimates suggest the normal yellow perch population ranges between one and four million.

The gizzard shad, a longtime component of Lake Ontario and Oswego River ecosystems, was a negligible constituent of the lake population until 1984, expanding in the next decade to a level where they became the major prey for walleyes, but then declining. At present they are relatively scarce. The freshwater drum became a significant element of the lake's population in 1987, and in recent years have maintained a population level about half that of the walleye. A long-lived fish, the drum is likely to remain a significant part of Oneida Lake's fish population for many years.

White perch have become an element of the lake's ecosystem since construction of the Erie Canal System. An ocean fish, they are also capable of freshwater existence, and have expanded to a level similar to the native yellow perch.

A key fish element of the lake is smallmouth and largemouth bass, popular game fish nowhere near as common as the above species but of major interest to anglers. Other fish of less interest to anglers but with significant roles in the ecosystem include carp, rock bass, "pumpkinseed" sunfish, bluegills, black crappie, burbot, bullheads, white suckers, and channel catfish. Oneida Lake has always had a lake sturgeon population, and these large rare fish are newsworthy when caught.

Several water bird species are present over and around Oneida Lake. The smallest, the common tern, is considered a "threatened" species in New York State. With intervention by DEC and Cornell University to improve nesting habitat and minimize predation by gulls, these birds are now stabilized at a population of about 400 nesting pairs.

Two species of gulls are present. The ring-backed gull, the smallest, is the common "seagull" noted by beachgoers and boaters, and well adapted to human presence. In addition to harvesting worms and rodents from farm fields, the ring-backed gull targets landfills and parks, where it lives off human refuse. An average of 850 breeding pairs of ring-backed gulls are found around Oneida Lake. The herring gull is an Atlantic Ocean bird, larger and more predatory than the ring-backed gull, preying on near-surface fish and on the eggs and young of other birds. In the past two decades, its Oneida Lake population has ranged from 20 to 60 pairs.



The double-crested cormorant population is about 2,000 birds. These birds are divers after small and medium-sized fish, competing with anglers for common game fish. At present, they harvest a small but significant share of the walleye and yellow perch population. They are protected by the Migratory Bird Treaty Act of 1972. Gray herons are also routinely spotted on the beach during the summer season.

As previously noted, the influx of the highly competitive zebra mussel has been a major factor in the shift in Oneida Lake's ecosystem. One highly significant additional aspect of their invasion of Oneida Lake has been the extinction of the lake's native clams.

ENDANGERED AND INVASIVE SPECIES

Another invader, the purple loosestrife, is a wetland plant that is outcompeting many native wetland plants. Among plant life that was historically present in or near Sylvan Beach but is no longer extant are the following species: the ram's-head ladyslipper (*Cypripedium arietinum*), the blunt spikerush (*Eleocharisobtusa ovata*), the dwarf bullrush (*Lipocarpha micrantha*), the salt-water spikerush (*Eleocharis halophila*), the lake-cress (*Armoracia lacrustis*), panic grass (P*anicum scabriusculum*), and lance-leaved loosestrife (*Lysimachia hybrida*). Also no longer present are a tree, the shellbark hickory (*Carya laciniosa*) and the brindled madtom (*Noturus miurus*), a catfish.

Oneida Lake as a whole suffers from algal blooms and the growth of rooted vegetation. Although the sandy lake bottom and shoreline means that rooted vegetation is usually not a problem along Sylvan Beach's shoreline, uprooted aquatic vegetation, as noted above, is often carried onto the Village's lakeside beach by wind and waves. Algal blooms and growth of vegetation could be addressed through a coordinated effort with the Oneida Lake Association (OLA) as part of a larger coordination effort between the OLA and the Village.

The issues noted for Oneida Lake also apply to Fish Creek adjacent to Sylvan Beach. Like the lake, it provides a fishing and boating resource to the Village, and many of the shallower-water fish of the lake are abundant in these lower reaches of Fish Creek as well. Particularly, it provides spawning area for walleye, and the impact of the discharge from the Village's wastewater treatment plant on the walleye population must be considered. At present, the cessation of chlorination of the wastewater discharge during walleye breeding season is considered sufficient by DEC.

As noted above, the Village of Sylvan Beach contains two small state-regulated wetland areas, with a third spanning the northeast border. However, lands along Fish Creek and the Oneida Lake shoreline north of the Village and south in the Verona Beach area include extensive wetlands. The Village's waterfront policies will address the need to preserve these wetlands, as their presence helps preserve the lake/stream ecosystem which is the Village's most valuable natural resource.

Wood Creek has in the past been a poor fishing area due to urban, suburban, and agricultural pollution. As of this study, conditions seem to be improving, but updated DEC studies will be needed in the future.

As might be expected, the Village itself, with its relatively small land area, is not the sole reservoir for any endangered or protected plant or animal species, but adjacent lands do house species of concern to DEC, as described above. The Village's role in conserving such life forms is to act in concert with the state and neighboring towns, villages, and counties to ensure that their habitat is not impacted.



EROSION, FLOODS, AND ICE JAMS

The Village's physical location on flat land is significant. The Village has no significant slopes, and erosion concerns are limited to the effect of storms and seasonal lake level variation on the shorelines. Its Oneida Lake shoreline comprises the largest sand beach along Oneida Lake, and reputedly the only natural one. On the other hand, the low-lying character of the Village means that flooding is a recurrent hazard.

The Village of Sylvan Beach has two areas in which erosion concerns are relevant: the Oneida Lake beach and the banks of Fish Creek. In both cases, hard data as to the extent of erosion has been very difficult to isolate, but anecdotal evidence is prevalent.

The public beach along the Oneida Lake shore is a major element in Sylvan Beach's appeal as a water-based tourism resort. The mile-long municipally owned sandy beach needs periodic shoreline stabilization and sand replenishment. The last major beach replenishment was completed by the village before the end of 2013, with sand from dredging operations performed by the New York State Canal Corporation throughout the convergence area of the Barge Canal and Oneida Lake. The development and implementation of that replenishment program had a total cost of approximately $750,000 and was partially funded by two EPF LWRP grants. Approximately 57,000 cubic yards of sand were placed on the public portion of the beach, graded, and, then, raked to remove any miscellaneous debris upon final grading. The project took several years to be completed. The Village has consulted with the New York State Canal Corporation, the U.S. Army Corps of Engineers and the NYS Department of Environmental Conservation for an annual replenishment of beach sand using dredge spoil from the Erie Canal and Fish Creek, so that by 2021 this project will be under way.

Complaints of banks along Fish Creek crumbling, with property loss to landowners and the resultant sedimentation and turbidity in Fish Creek, has also been an occasional but regular complaint. The Village will discuss with DEC the condition of the banks along Fish Creek and National Lake and determine the appropriate bank stabilization measures and bank enhancements, in accordance with the Village's Local Waterfront Revitalization Program erosion policies.



Source: Photo by Melissa Peebles posted on Syracuze.com, 2018

In January 2018, thirty properties along Fish Creek experienced flooding caused by record-breaking warmup following a deep freeze that built up a foot of ice on the creek. Broken ice chunks clumped together, blocked the flow of the creek, and backed up water into six streets on the east side of the village, near the creek, and about 100 people had to be evacuated from houses.

Portions of the Village, especially land along Fish Creek, the Erie Canal, and the Oneida Lake beach lie within special flood hazard areas subject to inundation by the 1% annual chance flood. The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year.

Map 2.7 – Sylvan Beach Wetlands and Flood Hazard Areas shows the portions of the WRA where recurrent flooding occurs Chapter 51. Flood Damage Prevention of the Village Code was prepared and amended to

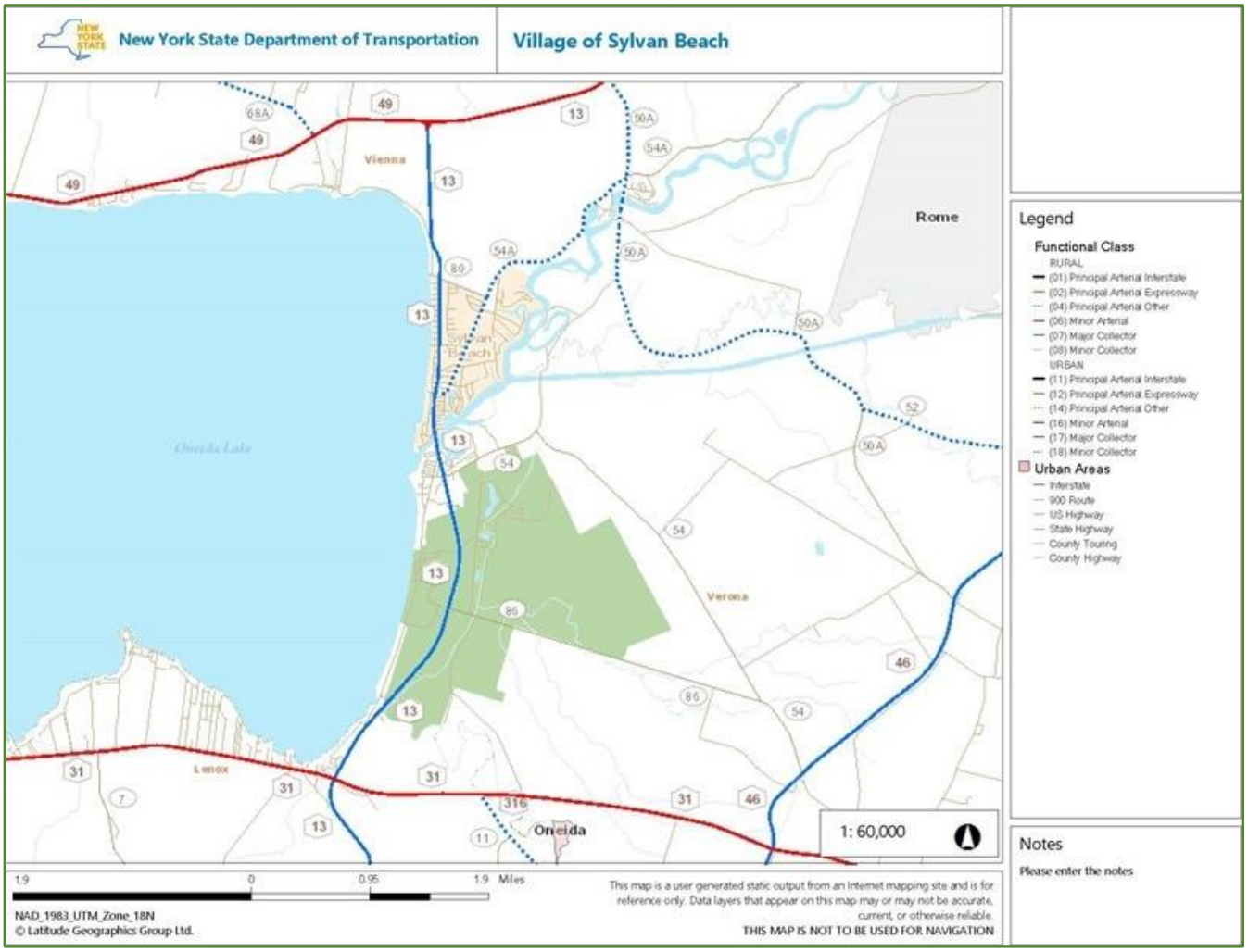


minimize public and private losses due to flood conditions. However, this law needs to be amended to include at least the minimum standards for resilient development in Federal Emergency Management Agency (FEMA) mapped special flood hazard areas, and a critical requirement that must be met to qualify municipalities for participation in the National Flood Insurance Program (NFIP). This allows federally backed flood insurance to be sold within the municipality and is required for the municipality to be eligible for federal disaster assistance for structures in mapped floodplains.

INFRASTRUCTURE RESOURCES

Vehicular Transportation

Land-based transportation access to the Village is exclusively by highway. There is no railway or aircraft access, although the cities of Rome and Oneida, less than 20 miles away to the west and south respectively, are served by both passenger and freight trains, and the Utica-Rome Airport is a moderately short drive from the Village.





The principal artery is New York State Route 13, which runs north-south through the Village one block from the Oneida Lake shoreline. It intersects east-west highways abutting the shores of Oneida Lake both north and south of the Village: State Route 49 lying to the north and State Route 31 to the south. Route 13 has an interchange with the New York State Thruway, a toll-road portion of the Interstate Highway system (I-90) approximately 7.2 miles south of Sylvan Beach, at Exit 34.

Village streets vary in width, the older roads being as narrow as fourteen feet, to newer ones ranging up to 22.5 feet wide. In general, this road mix adds to the character of the Village but can cause some problems when access to a commercial facility is on one of the narrower roads.

The Village has embarked on the implementation of a five-million-dollar streetscape improvement plan aimed at improving visual appearance and pedestrian access along NYS Route 13, which is Sylvan Beach's Main Street. The plan includes road reconstruction, bike paths, landscaping, LED street lighting, curbs, crosswalks, new or replacement sidewalks, trash bins, and burying and/or moving utility poles and lines from the east side of the street. It is anticipated that completion of this plan will improve pedestrian access to the downtown business district, with consequent positive impacts on the Village's economy. The area known as the Midway could also benefit from pedestrian and bicycle access improvements and improved connections to adjacent Sunset Park and Main Street Park. The 'Midway' is comprised of land in the Commercial Resort District and includes both the existing amusement park and the Yesterday's Royal. Adjacent to these properties are several parcels that are either publicly owned or maintained including the parking area, Sunset Park, and public land adjacent to the canal and along Canal Street.





The Village has paved parking lots adjacent to Sunset Park, at Carello's Corner located at the confluence of Vienna Rd. and NYS Route 13, and a grass overflow lot adjacent to 16th and 17th Streets. There is also pull-in street side parking along Spencer Avenue. These lots provide ample parking most of the year, but the influx of visitors on summer and holiday weekends leads to inadequate parking. The opening of an Oneida Indian Nation casino/restaurant near the Midway will likely exacerbate this situation. Most lots set aside for parking purposes are owned by adjacent businesses and intended for the use of their clientele. Areas with on-street parking are restricted to those adjacent to the Canal and Main Street Park. Addressing peak-period parking concerns is an essential to Village economic growth. The Village overflow parking area adjacent to 16th and 17th Streets could be significantly improved. This lot is important, as it is near several established right of ways



that are beach access points. The Village will assess the potential upgrades and expansion to the existing parking areas, and potential acquisition of additional properties. Solutions for temporary parking issues may be to bring a shuttle service into the village when large events are scheduled.

A new element recently added to the Village's transportation system is a bicycle and pedestrian trail constructed on the former NYO & W railway bed that runs diagonally across the Village from northwest to southeast, funded by a TEA-21 grant. The northern end ties into a similar trail on the extension of the same roadbed through the Towns of Vienna, Constantia, West Monroe, and Hastings to provide a 30-mile-long trail. The Village will identify additional nearby trails and the feasibility of linking the trails. Trails paralleling NYS Routes 49 and 5 north and south of the Village might be connected by trails using the NYS Route 13 right-of-way.

Water-based transportation is a significant asset to the Village. As noted in the previous section, boaters frequent the Village using both Oneida Lake and the Erie Canal to reach it.

Drinking Water Supply

The Village of Sylvan Beach receives its water from the Onondaga County Water Authority (OCWA), under a forty-year contract dating from December 1992. As an element of that contract, all 81,500 linear feet of water mains in the Village have been completely rebuilt. A million-gallon reservoir built in the early 1990s belonging to the Onondaga County Water Authority (OCWA) is located north of the Village in the Town of Vienna and constitutes the principal Village water source. There are 1,030.25 water services in the Village, each paying $106.15 (in 2017) (plus usage fees) annually for water supply, and the available resources are deemed adequate by state authorities for maintaining pressure and quantity, including fire-fighting use, with adequate resources for new development.

Wastewater Disposal

The East Oneida Lake Wastewater Treatment Plant located in the north end of the Sylvan Beach WRA serves not only the Village of Sylvan Beach but also areas in the Towns of Vienna, Verona, Sullivan, and Lenox. This is a publicly owned treatment works facility that receives flow from domestic users. The plant can accommodate 4,725 gallons of wastewater per minute or an average treatment capacity of 2,600,000 gallons per day (GPD). The treatment plant provides secondary treatment for a design flow of 2.0 MGD[8]. Treatment consists of bar screen, grit removal, physical/chemical with the addition of poly aluminum chloride for phosphorus removal, final settling, and, chlorination. Sludge is thickened and disposed at Ava Landfill located outside of the Village. Treated sanitary wastewater is discharged via one outfall to Fish Creek, a class C water.

There are 1,022.25 sewer units in the Village. A flat fee of $475.61 (in 2017) per "unit" is charged within the Village, a "unit" being the designation for an average residential property. Manufactured homes may be charged a fraction of a unit, commercial properties two or more units, etc. Major sewer mains run along the main streets, with households connected to them by smaller lines. The treatment plant is licensed for two million GPD, with an average flow rate at about one million GPD and a current maximum flow rate at 1.75 million GPD. The wastewater treatment plant was constructed in 1978 and operates under a SPDES permit

[8] Flow, or volumetric flow rate, is simply the volume of fluid that passes per unit of time. In water resources, flow is often measured in units of cubic feet per second (cfs), cubic meters per second (cms), gallons per minute (gpm), millions of gallons per day (MGD), or other various units.



first issued at that time and renewed at appropriate intervals since. In early 2020, the following changes were added to the application for a new State Pollutant Discharge Elimination System (SPDES) permit for the East Oneida Lake Wastewater Treatment Plant: Changed Whole Effluent Toxicity testing effluent limit type to Limits; a Stormwater Pollution Prevention Plan, a Mercury Minimization Program, and General Requirements[9].

Solid Waste Management

Sylvan Beach has no municipal trash removal service. Private contractors pick up solid waste for a fee, transporting it to approved landfills and other disposal sites outside the Village.

[9] https://www.dec.ny.gov/enb/20200115_reg6.html

SECTION 3: SYLVAN BEACH LWRP POLICIES

This section includes the Sylvan Beach LWRP policies applicable within the WRA described in Section I of this LWRP. A policy explanation follows each policy statement. The explanations reflect State regulations and the local conditions within the Sylvan Beach WRA. The policies of an approved LWRP are the State policies applicable to the WRA described and mapped in the LWRP approved by the Secretary of State.

These policies are organized and grouped under eleven headings: Development Policies, Fish and Wildlife Policies, Flooding and Erosion Hazards Policies, General Policy, Public Access Policies, Recreation Policies, Historic and Scenic Resources Policies, Agricultural Lands Policy, Energy and Ice Management Policies, Water and Air Resources Policies, and Wetlands Policy.

DEVELOPMENT POLICIES

Policy 1

Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Explanation of Policy

There are several structures and sites that are currently underutilized or deteriorating within the Village's WRA. The Village supports the restoration of the pier extending into the lake from Sunset Park, as well as the redevelopment and revitalization of the area south of 19th Avenue and west of Route 54A (Vienna Street), which includes important landmarks and traditional local recreational and commercial uses with interspersed residential uses. This area holds sites that provide the best opportunity for future economic development within the WRA.

State and local agencies must ensure that their actions further the revitalization of urban waterfront areas. The transfer and purchase of property; the construction of a new office building, highway or park; the provision of tax incentives to businesses; and establishment of enterprise zones, are all examples of governmental means for spurring economic growth. When any such action or similar action is proposed, it must be analyzed to determine if the action would contribute to or adversely affect a waterfront revitalization effort.

It must be recognized that revitalization of once dynamic waterfront areas is one of the most effective means of encouraging economic growth in the State, without consuming valuable open space outside of these waterfront areas. Waterfront redevelopment is also one of the most effective means of rejuvenating or at least stabilizing residential and commercial districts adjacent to the redevelopment area.

In responding to this policy, several other policies must be considered: (1) Uses requiring a location abutting the waterfront must be given priority in any redevelopment effort. (Refer to Policy 2 for the means to effectuate this priority); (2) As explained in Policy 5, one reason for revitalizing previously dynamic waterfront areas is that the costs for providing basic services to such areas is frequently less than providing new services to areas not previously developed; (3) The likelihood for successfully simplifying permit procedures and easing certain requirements (Policy 6) will be increased if a discrete area and not the entire urban waterfront is

the focus for this effort. In turn, ease in obtaining permits should increase developers' interest to invest in these areas. Further, once this concentrated effort has succeeded, stabilization and revitalization of surrounding areas is more likely to occur. Local governments through waterfront revitalization programs have the primary responsibility for implementing this policy. Though local waterfront revitalization programs need not be limited to redevelopment, local governments are urged to identify areas as suitable for redevelopment and establish and enforce redevelopment programs.

1. When a State or local action is proposed to take place in an urban waterfront area regarded as suitable for redevelopment, the following guidelines will be used:
    a. Priority should be given to uses which are dependent on a location adjacent to the water;
    b. The action should enhance existing and anticipated uses. For example, a new highway should be designed and constructed so as to serve the potential access needs for desirable industrial development;
    c. The action should serve as a catalyst to private investment in the area;
    d. The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration. For example, a building could not be abandoned without protecting it against vandalism and/or structural decline;
    e. The action must lead to development that is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use;
    f. The action should have the potential to improve the existing economic base of the community and, at a minimum, must not jeopardize this base. For example, waterfront development meant to serve consumer needs would be inappropriate in an area where no increased consumer demands is expected and existing development is already meeting demand;
    g. The action should improve adjacent and upland views of the water, and, at a minimum, must not affect these views in an insensitive manner;
    h. The action should have the potential to improve the potential for multiple uses of the site.
2. If a State or local action is proposed to take place outside of a given deteriorated, underutilized urban waterfront area suitable for redevelopment, and is either within the relevant community or adjacent waterfront community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized urban waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

Policy 2

Facilitate the siting of water dependent uses and facilities on or adjacent to inland waterways.

Explanation of Policy

There is a finite amount of waterfront space suitable for development purposes. Consequently, while the demand for any given piece of property will fluctuate in response to varying economic and social conditions,



on a statewide basis, the only reasonable expectation is that long-term demand for waterfront space will intensify. This policy is important for working towards the restoration of the existing pier that extends off Sunset Park, which will enhance the public access to the waterfront and provide safe fishing and passive enjoyment of the waterfront.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to the State's inland waterways. To ensure that such "water-dependent" uses can continue to be accommodated within the State, State agencies will avoid undertaking, funding, or approving non-water-dependent uses when such uses would preempt the reasonably foreseeable development of water dependent uses; furthermore, agencies will utilize appropriate existing programs to encourage water dependent activities.

Water dependent activities shall not be considered a private nuisance, provided such activities were commenced prior to the surrounding activities and have not been determined to be the cause of conditions dangerous to life or health and any disturbance to enjoyment of land and water has not materially increased. A water dependent use is an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

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

1. Uses which depend on the utilization of resources found in inland waterways (for example: fishing, mining of sand and gravel, aquaculture activities);
2. Recreational activities which depend on access to inland waterways (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the waterway/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities);
4. Structures needed for navigational purposes (for example: dams, locks, lighthouses);
5. Flood and erosion protection structures (for example: breakwaters, bulkheads);
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants, fish processing plants, pumped storage power plants);
8. 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 to shipping facilities be obtained (for example: coal export facilities, cement plants, quarries);
9. Uses which operate under such severe time constraints that proximity to shipping facilities become critical (for example: firms processing perishable foods);
10. Scientific/educational activities which, by their nature, require access to inland waterways (for example: certain meteorological and scientific activities);
11. 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 addition to water dependent uses, those 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 or activity which does not require a location adjacent to or over inland waterways, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water's edge. Water enhanced uses are primarily recreational, cultural, retail, or entertainment uses. A restaurant which uses good site design to take advantage of a waterfront view is an example of a water-enhanced use. If there is no immediate demand for a water dependent use in a given area but a future demand is reasonably foreseeable, temporary non-water dependent uses should be considered preferable to a non-water dependent or enhanced use which involves an irreversible or nearly irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, and non-permanent structures are uses or facilities which would likely be considered as "temporary" non-water-dependent uses.

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following guidelines should be used:

1. Competition for space - competition for space, or the potential for it, should be indicated before any given site is promoted for water dependent uses. The intent is to match water dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water dependent activities or else the encouragement of water dependent development.

2. In-place facilities and services - most water dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:
   a) The availability of public sewers, public water lines and adequate power supply;
   b) Access to the area for trucks and rail, if heavy industry is to be accommodated; and
   c) Access to public transportation, if a high number of person trips are to be generated.

3. Access to navigational channels - if commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within a sheltered harbor, from which access to adequately sized navigation channels would be assured.

4. Compatibility with adjacent uses and the protection of other inland waterway resources – 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 also be employed so that water-dependent use and adjacent uses can serve to complement one another. For example, a recreation-oriented water dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn be enhanced by, nearby restaurants, motels and other non-water-oriented tourist activities. Water dependent uses must also be sited so as to avoid adverse impacts on the significant inland waterway resources.



5. Preference to underutilized sites: The promotion of water-dependent uses should serve to foster development as a result of the capital programming, permit expediting and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the State's waterfront areas which are currently underutilized.
6. Providing for expansion - a primary objective of the policy is to create a process by which water dependent uses can be accommodated well into the future. State agencies and localities should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

In promoting water dependent uses, the following kinds of actions will be considered:

1. Favored treatment to water dependent use areas with respect to capital programming. Particular priority should be given to the construction and maintenance of port or harbor facilities, roads, railroad facilities, and public transportation within areas suitable for water dependent uses.
2. When areas suitable for water dependent uses are publicly owned, favored leasing arrangements should be given to water dependent uses.
3. Where possible, consideration should be given to providing water dependent uses with property tax abatements, loan guarantees, or loans at below market rates.
4. State and local planning and economic development agencies should actively promote water dependent uses. In addition, a list of sites available for non-water-dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects.
5. Local and State agencies should work together to streamline permitting procedures that may be burdensome to water dependent uses. This effort should begin for specific uses in a particular area.
6. Local land use controls, especially the use of zoning districts exclusively for waterfront uses, can be an effective tool of local government in assuring adequate space for the development of water dependent uses.

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

Under the current conditions this policy does not apply to the Village of Sylvan Beach. The aim of this policy is to support port development in New York, Albany, Buffalo, Ogdensburg, and Oswego.



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

The restoration of the Sylvan Beach pier in conjunction with the revitalization of the area south of 19th Avenue and west of Route 54A will expand the opportunities for water dependent and enhanced recreational uses.

This policy recognizes that the traditional activities occurring in and around numerous smaller harbors throughout the State's inland waterways contribute much to the economic strength and attractiveness of these harbor communities. Thus, efforts of state agencies shall center on promoting such desirable activities as recreational and commercial fishing, ferry services, marinas, historic preservation, cultural pursuits, and other compatible activities which have made smaller harbor areas appealing as tourist destinations and as commercial and residential areas. Particular consideration will be given to the visual appeal and social benefits of smaller harbors which, in turn, can make significant contributions to the State's tourism industry.

The following guidelines shall be used in determining consistency:

1. The action shall give priority to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the water.
2. The action will enhance or not detract from or adversely affect 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 the 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.
5. The action will not adversely affect the existing economic base of the community e.g., waterfront development designed to promote residential development might be inappropriate in a harbor area where the economy is dependent upon tourism and commercial fishing.
6. The action will not detract from views of the water and smaller harbor area, particularly where the visual quality of the area is an important component of the area's appeal and identity.
7. In applying the above guidelines, the information in harbor management plans being developed by local governments pursuant to Article 42 of the Executive Law and local laws that would implement them shall be considered.



Policy 5

Encourage the location of development in areas where public services and facilities essential to such development are adequate.

Explanation of Policy

The entire Sylvan Beach WRA is serviced by a network of drinking water and sewer infrastructure, and the East Oneida Lake Wastewater Treatment Plant.

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development, particularly large-scale development, in the shorefront area will be encouraged to locate within, contiguous to, or in close proximity to, existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

The above policy is intended to accomplish the following:

- strengthen existing residential, industrial and commercial centers;
- foster an orderly pattern of growth where outward expansion is occurring;
- increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;
- preserve open space in sufficient amounts and where desirable
- foster energy conservation by encouraging proximity between home, work, and leisure activities.

For any action that would result in large scale development or an action which would facilitate or serve future development, a determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate. The following guidelines shall be used in making that determination:

1. Cities, built-up suburban towns and villages, and rural villages in the shorefront area are generally areas of concentrated development where infrastructure and public services are adequate.
2. Other locations in the shorefront area may also be suitable for development, if three or more of the following conditions prevail:
    a. Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
    b. Fewer than 50% of the buildable sites (i.e., sites meeting lot area requirements under existing local zoning regulations) within one-mile radius of the proposed site are vacant;
    c. Proposed site is served by or is near to public or private sewer and water lines;
    d. Public transportation service is available within one mile of the proposed site; and
    e. A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.
3. The following points shall be considered in assessing the adequacy of an area's infrastructure and public services:



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

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

c. Sewage disposal system can accommodate the wastes generated by the development;

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

e. Stormwater runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and

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

It is recognized that certain forms of development may and/or should occur at locations which are not within or near areas of concentrated development. Thus, this development policy does not apply to the following types of development projects and activities.

1. Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.
2. Development which, by its nature, is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home developments.
3. Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.
4. Water dependent uses with site requirements not compatible with this policy or when alternative sites are not available.
5. Development which because of its isolated location and small scale has little or no potential to generate and/or encourage further land development.
6. Uses and/or activities which because of public safety consideration should be located away from populous areas.
7. Rehabilitation or restoration of existing structures and facilities.
8. Development projects which are essential to the construction and/or operation of the above uses and activities.

In certain urban areas where development is encouraged by this policy, the condition of existing public water and sewage infrastructure may necessitate improvements. Those State and local agencies charged with allocating funds for investments in water and sewer facilities should give high priority to the needs of such areas so that full advantage may be taken of the rich array of their other infrastructure components in promoting waterfront revitalization.



Policy 6

Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

Explanation of Policy

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

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

Fish and Wildlife Policies

Policy 7

Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Explanation of Policy

Under the current conditions this policy does not apply to the Village of Sylvan Beach. This policy applies only to significant fish and wildlife habitats designated by the State and located in the State's coastal area.

Policy 8

Protect fish and wildlife resources in the waterfront revitalization 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.

Explanation of Policy

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [§27-0901(3)] as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or otherwise managed." A list of hazardous wastes (NYCRR Part 371) is provided by DEC. The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the



State's air, land, and waters. Such controls should effectively minimize possible contamination of and bioaccumulation in the State's fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders. Other pollutants are those conventional wastes generated from point and non-point sources and not identified as hazardous wastes but controlled through other State laws.

Policy 9

Expand recreational use of fish and wildlife resources in the waterfront revitalization area by increasing access to existing resources, supplementing existing stocks, and developing new resources.

Explanation of Policy

Restoring the Sylvan Beach pier will expand recreational fishing off the pier. Recreational uses of fish and wildlife resources include consumptive uses such as fishing and hunting, 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 the waterfront revitalization area 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 management considerations. Such considerations include biology of the species, carrying capacity of the resources, public demand, costs and available technology.

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

1. Consideration should be made by local and State agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.
4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

Policy 10

Further develop commercial finfish, shellfish, and crustacean resources in the inland waterway area by encouraging the construction of new, or improvement of existing onshore commercial fishing facilities, increasing marketing of the State's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.



Explanation of Policy

Commercial fishery development activities must occur within the context of sound fishery management principals developed and enforced within the State's waters by the New York State Department of Environmental Conservation and the management plans developed by the Regional Fisheries Management Councils (Mid-Atlantic and New England) and enforced by the U.S. National Marine Fisheries Service within the Fishery Conservation Zone. (The Fishery Conservation Zone is the area of coastal waters extending from the three-mile State waters boundary to the 200-mile offshore boundary of the U.S. waters. The Conservation Zone is authorized by the U.S. Fishery Conservation and Management Act of 1976.) Sound resource management considerations include optimum sustained yield levels developed for specific commercial fish species, harvest restrictions imposed by State and federal governments, and the economic, political (uses conflicts), and technological constraints to utilizing these resources.

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

1. A public agency's commercial fishing development initiative should not preempt or displace private sector initiative.
2. A public agency's efforts to expand existing or create new onshore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.
3. Consideration should be made by State and Federal agencies whether an action will impede existing utilization or future development of the state's commercial fishing resources.
4. Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

FLOODING AND EROSION HAZARDS POLICIES

Policy 11

Buildings and other structures will be sited in the waterfront revitalization area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

Explanation of Policy

On waterfront lands identified as coastal erosion hazard areas, buildings and similar structures shall be set back from the shoreline a distance sufficient to minimize damage from erosion unless no reasonable prudent alternative site is available as in the case of piers, docks, and other structures necessary to gain access to surface waters to be able to function. The extent of the setback will be calculated, taking into account the rate at which land is receding due to erosion and the protection provided by existing erosion protection structures, as well as by natural protective features such as beaches, sandbars, spits, shoals, barrier islands, bay barriers, nearshore areas, bluffs, and wetlands.

The only new structure allowed in coastal erosion hazard areas is a moveable structure as defined in 6 NYCRR Part 505.2(x). Prior to its construction, an erosion hazard areas permit must be approved for the



structure. Existing non-conforming structures located in coastal erosion hazard areas may be only minimally enlarged. Currently there are no coastal erosion hazard areas identified within the Sylvan Beach WRA. Accordingly, the Sylvan Beach WRA is not subject to Article 34 of the Environmental Conservation Law and its implementation regulations included in 6 NYCRR Part 505. However, the village of Sylvan Beach does not allow development on the public beach located along Oneida Lake or on other public lands adjacent to Oneida Lake shoreline.

In high risk areas, identified as being subject to high velocity waters caused by hurricanes or other storm events, walled and roofed buildings or fuel storage tanks shall be sited landward, and no mobile home shall be sited in such area. In areas identified as floodways, no mobile homes shall be sited other than in existing mobile home parks. Where human lives may be endangered by major storms, all necessary emergency preparedness measures should be taken, including disaster preparedness planning.

Policy 12

Activities or development in the waterfront revitalization 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.

Explanation of Policy

The beach along the Oneida Lake shoreline is an important natural feature and recreational landmark. As a natural feature it protects the homes and businesses east of it from flooding, while as a recreational landmark brings indirect revenue to the Village from attracting seasonal tourists to the Village.

Beaches, dunes, barrier islands, bluffs, and other natural protective features help safeguard shorefront lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of shorefront features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse actions are minimized. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

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.

Explanation of Policy

Erosion protection structures are widely used throughout the State's waterfront areas. However, because of improper design, construction and maintenance standards, many of these structures fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.



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. However, by our actions, humans can increase the severity and adverse effects of those processes, causing damage to, or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing runoff and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage to otherwise hazard-free areas.

Policy 15

Mining, excavation, or dredging in inland waterways shall not significantly interfere with the natural inland waterway 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

Inland Waterway 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 a reduction of supply, and thus an increase of erosion, to such shorelands. Offshore mining is a future alternative option to land mining for sand and gravel deposits which are needed to support building and other industries.

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 on the State's shorelines. 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 shorefront 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

Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

Explanation of Policy

1. This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the inland waterway or coastal area, as well as the costs of protection against those hazards which structural measures entail.
2. "Non-structural measures" shall include, but not be limited to: (1) within coastal erosion hazard areas identified under Section 0104 of Coastal Erosion Hazard Areas law, (Environmental Conservation Law Article 34), and subject to the permit requirements on all regulated activities and development established under that Law, (a) the use of minimum setbacks as provided for in Section 0108 of Environmental Conservation Law Article 34; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the 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 landforms; and (2) within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation above the base flood level. The New York State Canal Corporation monitors and controls Oneida Lake's water levels to decrease flood damage within the basin and lessen property erosion from winter ice.
3. This policy shall apply to the planning, siting, and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.
4. In determining whether or not non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

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 waterfront revitalization area must give full consideration to those interests and to the safeguards which the State has established to protect valuable inland waterway resource areas.



Explanation of Policy

Proposed major actions may be undertaken in the waterfront revitalization area if they will not significantly impair valuable inland waterway resources, thus frustrating the achievement of the purposes of the safeguards which the State has established to protect those waters and resources. Proposed actions must take into account the social, cultural, economic and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation, and recreation.

PUBLIC ACCESS POLICIES

Policy 19

Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Explanation of Policy

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. The imbalance among these factors is the most significant in the State's urban areas. Because this is often due to access-related problems, priority will be given to improving physical access to existing and potential shorefront recreation sites within the heavily populated urban shorefront areas of the State and to increasing the ability of urban residents to get to shorefront recreation areas by improved public transportation. The particular water-related recreation resources and facilities which will receive priority for improved access are public beaches, boating facilities, fishing areas and waterfront parks. In addition, because of the greater competition for waterfront locations within urban areas, the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will encourage mixed use areas and multiple use of facilities to improve access. Specific sites requiring access improvements and the relative priority the program will accord to each will be identified in the Public Access Planning Process.

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

1. The existing access from adjacent or proximate public lands or facilities to public water related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access, or unless such actions are found to be necessary by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet system-wide objectives.

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

   a) Access - the ability and right of the public to reach and use public inland waterway lands and waters.



b) Public water related recreation resources of facilities - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.

c) Public lands or facilities - lands or facilities held by State or local government in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.

d) 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 system-wide 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 to include regular fares in any instance) of public transportation to a public water-related recreation resource or facility; and/or admission fees to such a resource or facility except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary and an analysis shows that such increases will significantly reduce usage by individuals or families and incomes below the State government established poverty level.

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

(1) Construction of public facilities 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

2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:

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

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

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



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

Policy 20

Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided and it shall be provided in a manner compatible with adjoining uses.

Explanation of Policy

In inland waterway areas where there are little or no recreation facilities providing specific water-related recreational activities, access to the publicly owned lands along the inland waterway at large should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along a beach or a city waterfront or to a vantage point from which to view the seashore. Similar activities requiring access would include bicycling, bird watching, photography, nature study, beachcombing, fishing and hunting.

For those activities, there are several methods of providing access which will receive priority attention from the Waterfront Revitalization of Coastal Areas and Inland Waterways Program. These include: the development of a waterfront trails system; the provision of access across transportation facilities to the waterfront; the improvement of access to waterfronts in urban areas; and the promotion of mixed and multi-use development.

While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile inland waterway resources.

The regulation of projects and structures, proposed to be constructed in or over lands underwater, is necessary to responsibly manage such lands, to protect vital assets held in the name of the people of the State, to guarantee common law and sovereign rights, and to ensure that waterfront owners' reasonable exercise of riparian rights and access to navigable waters shall be consistent with the public interest in reasonable use and responsible management of waterways and such public lands for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

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

1. Existing access from adjacent or proximate public lands or facilities to existing public inland waterway lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public inland waterway lands and/or waters be



eliminated, unless such actions are demonstrated to be of overriding regional or Statewide public benefit or, in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access. The following is an explanation of the terms used in the above guidelines:

a) (See definitions under first policy of "access" and "public lands or facilities").

b) A reduction in the existing or anticipated level of public access - includes, but is not limited, to the following:

(1) 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.

(2) Pedestrian access is diminished or blocked completely by public or private development.

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

(1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public inland waterway lands and /or waters

(2) Sale, lease, or other conveyance of public lands that could provide public access to public inland waterway lands and/or waters

(3) Construction of private facilities which physically prevent the provision of convenient public access to public inland waterway lands and/or waters from public lands and facilities

2. The existing level of public access within public inland waterway lands or waters shall not be reduced or eliminated.

a) A reduction or elimination in the existing level of public access - includes, but is not limited to, the following:

(1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities

(2) Access is reduced or blocked completely by any public developments

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

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

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

served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.

6. Proposals for increased public access to inland waterway lands and waters shall be analyzed according to the following factors:
   a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
   b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the inland waterway lands or waters. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
7. In making any grant, lease, permit, or other conveyance of land now or formerly underwater, there shall be reserved such interests or attached such conditions to preserve the public interest in the use of state-owned lands underwater and waterways for navigation, commerce, fishing, bathing, recreation, environmental protection, and access to the navigable waters of the state. In particular, the granting of publicly owned underwater or formerly underwater lands to private entities will be limited to exceptional circumstances only.

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 shorefront.

Explanation of Policy

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

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important waterfront revitalization area resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-water-dependent uses, including non-water-related recreation uses. In addition, water dependent recreation uses shall have a higher priority over water-enhanced recreation use. Determining a priority among water-dependent uses will require a case by case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the shorefront can be provided by new or existing public transportation services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The Department of State, working with the Office of Parks, Recreation, and Historic Preservation and with local governments, will identify communities whose use



of the shore has been so restricted and those sites shoreward of such developments which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

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 shore should be avoided as much as practicable.

Among the types of water dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other inland waterway resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pump-out facilities. There is a need for a better positional pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

Water-related off-road recreational vehicle use is an acceptable activity; provided no adverse environmental impacts occur. Where adverse environmental impact will occur, mitigating measures will be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced. Ground water contamination presents a threat to Fire Island National Seashore water resources.

Policy 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.

Explanation of Policy

Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore they should to the fullest extent permitted by existing law provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development which can generally provide water-related recreation as a multiple-use include, but are not limited to:

- parks
- highways
- power plants
- utility transmission rights of way
- sewage treatment facilities
- mental health facilities*
- hospitals*
- prisons*
- schools, universities*
- military facilities*



- nature preserves*
- large residential subdivisions (50 units)
- shopping centers
- office buildings

** The types of recreation use likely to be compatible with these facilities are limited to the more passive forms, such as trails or fishing access. In some cases, land areas not directly or immediately needed by the facility could be used for recreation.*

Prior to taking action relative to any development, State agencies should consult with the State Office of Parks, Recreation, and Historic Preservation, and if there is an approved local waterfront program, with the municipality in which the development is to locate, to determine appropriate recreation uses. The agency should provide OPRHP and the municipality with the opportunity to participate in project planning.

Appropriate recreational uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost.

In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreation facilities.

Whenever a proposed development would be consistent with LWRP policies and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the shore, then such development should be encouraged to locate adjacent to the shore (this situation would generally only apply within the more developed portions of urban areas).

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.

Explanation of Policy

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must include active efforts, when appropriate, to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the waterfront revitalization area it will actively promote the preservation of historic and cultural resources which have a waterfront relationship.

The structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation comprise the following resources:

(a) A resource, which is in a federal or State park established, among other reasons, to protect and preserve the resource.

(b) A resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places.

(c) A resource on or nominated to be on the State Nature and Historic Preserve Trust.

(d) An archaeological resource which is on the State Department of Education's inventory of archaeological sites.

(e) A local landmark, park, or locally designated historic district which is located within the boundary of an approved local waterfront revitalization program.

(f) A resource that is a significant component of an Urban Cultural Park.

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

(a) 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 the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials, entry ways and doors, fenestration, lighting fixtures, roofing, sculpture and carving, steps, rails, fencing, windows, vents and other openings, grillwork, signs, canopies, and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)

(b) 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, to include all those features described in (a) above plus any other appurtenant fixtures associated with a building, structure or earthwork.

(c) 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 an 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 judgment about compatibility should focus on the visual and location 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 general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts, this would include infrastructure improvements or changes, 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, earthworks, 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" of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archaeological resource which does not involve a significant adverse change to the resource, as defined above.

Policy 24

Prevent impairment of scenic resources of statewide significance.

Explanation of Policy

Under the current conditions this policy does not apply to the Village of Sylvan Beach. The Sylvan Beach WRA does not include any designated scenic areas of statewide significance.

The Waterfront Revitalization of Coastal Areas and Inland Waterways Program will identify on the coastal area map scenic resources of statewide significance located in the coastal area of the State. If applicable, a list of preliminarily identified resources appears in the Appendix. The following general criteria will be combined to determine significance:

Quality	The basic elements of design (i.e., two-dimensional line, three-dimensional form, texture and color) combine to create all high-quality landscapes. The water, landforms, and human-made components of scenic coastal landscapes exhibit variety of line, form, texture and color. This variety is not, however, so great as to be chaotic. Scenic coastal landscapes also exhibit unity of components. This unity is not, however, so complete as to be monotonous. Example: the Thousand Islands where the mix of water, land, vegetative and human-made components creates interesting variety, while the organization of these same components creates satisfying unity. Often, high quality landscapes contain striking contrasts between lines, forms, textures and colors. Example: A waterfall where horizontal and vertical lines and smooth and turbulent textures meet in dramatic juxtaposition. Finally, high quality landscapes are generally free of discordant features, such as structures or other elements which are inappropriate in terms of siting, form, scale, and/or materials.
Uniqueness	The uniqueness of high-quality landscapes is determined by the frequency of occurrence of similar resources in a region of the State or beyond.
Public Accessibility	A scenic resource of significance must be visually and, where appropriate, physically accessible to the public.
Public Recognition	Widespread recognition of a scenic resource is not a characteristic intrinsic to the resource. It does, however, demonstrate people's appreciation of the resource for its visual, as well as evocative, qualities. Public recognition serves to reinforce analytic conclusions about the significance of a resource.

When considering a proposed action, agencies shall first determine whether the action could affect a scenic resource of statewide significance. This determination would involve: 1) a review of the coastal area map to ascertain if it shows an identified scenic resource which could be affected by the proposed, and 2) a review of

the types of activities proposed to determine if they would be likely to impair the scenic beauty of an identified resource. Impairment will include: (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 this 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 space 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 inland waterways;
- 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 waterfront revitalization area.

Explanation of Policy

The views from the Village shoreline to Oneida Lake contribute to the residents' and visitors' experience of the recreational resources located along the Village shoreline and adjacent areas. Due to the presence of the beach and the already densely build area east of the beach, there is no room for new development that could disturb the scenic views of the Lake. However, the existing rundown pier extending into the Lake from Sunset Park does alter the scenic view of and from the Lake.

When considering a proposed action which would not affect a scenic resource of statewide significance, agencies shall ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the waterfront revitalization area. Activities which could impair or further degrade scenic quality are the same as those cited under the previous policy, i.e., modification of natural landforms, removal



of vegetation, etc. However, the effects of these activities would not be considered as serious for the general waterfront revitalization area as for significant scenic areas.

The siting and design guidelines listed under the previous policy should be considered for proposed actions within the waterfront revitalization area. More emphasis may need to be placed on removal of existing elements, especially those which degrade, and on addition of new elements or other changes which enhance. Removal of vegetation at key points to improve visual access to inland waterways is one such change which might be expected to enhance scenic quality.

AGRICULTURAL LAND POLICY

Policy 26

Conserve and protect agricultural lands in the waterfront revitalization area.

Explanation of Policy

The land within the Village of Sylvan Beach WRA is developed for residential and commercial uses. There are no agricultural lands or Oneida County agricultural districts within the Sylvan Beach WRA. This policy does not apply to the current or foreseeable conditions within the Village of Sylvan Beach WRA.

ENERGY AND ICE MANAGEMENT POLICIES

Policy 27

Decisions on the siting and construction of major energy facilities in the shorefront area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.

Explanation of Policy

New York's overall annual energy demand has begun to flatten over time, in part due to the success of State and utility energy efficiency programs. However, peak load (the highest amount of energy consumption in a given year) has continued to increase at a more rapid pace[10]. Renewable power sources—hydro, solar, wind, and other carbon-free solutions—also continue to grow as a share of the total energy produced in the State.[11] Significant investments in the billions of dollars are needed to replace New York's aging electric transmission and distribution infrastructure just to meet currently projected energy demand.[12] To respond to these significant shifts in the State's energy infrastructure, State energy policies are being designed to maintain energy system reliability during peak load in ways that improve the grid's overall system efficiency, from both energy transmission and capital investment perspectives.[13]

The New York State energy planning process provides a comprehensive framework for improving the State's energy system, addressing issues such as environmental impacts, resiliency, and affordability.[14] Key areas of

[10] 2015 New York State Energy Plan, Vol. 1, p. 27.
[11] 2015 New York State Energy Plan, Vol. 1, p. 10.
[12] 2015 New York State Energy Plan, Vol. 1, pp. 25-26.
[13] 2015 New York State Energy Plan, Vol. 1, p. 27
[14] 2015 New York State Energy Plan, Vol. 1, p. 9.



focus for New York's energy planning and implementation policies include integration of renewable energy generation; local energy generation that can foster both economic prosperity and environmental stewardship; seeking innovative energy solutions across the State's public facilities and operations; increasing energy efficiency; and decreasing greenhouse gas emissions.[15] New York's energy policy is also central to how the State responds to the challenges presented by a changing climate. New York State's energy planning recognizes that extreme weather events demand more resilient energy infrastructure, and that climate change presents both challenges and opportunities to lead and innovate.[16]

A determination of public need for energy is the first step in the process for siting new facilities. The directives for determining this need are contained primarily in Article 6 of the New York State Energy Law. That Article requires the preparation of a State Energy Plan. With respect to transmission lines and the siting of major electric generating facilities, Articles 7 and 10 of the State's Public Service Law require additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for providing additional electric capacity. The policies derived from the siting regulations under these Articles are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Law. That law is used for the purposes of ensuring consistency with the Coastal Management Program.

The Department of State will present testimony for the record during relevant certification proceedings under Articles 7 and 10 of the Public Service Law when appropriate; and use the State SEQR and DOS regulations to ensure that decisions regarding other proposed energy facilities (not subject to Articles 7 and 10 of the Public Service Law) that would affect the shorefront area are consistent with LWRP policies.

Policy 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.

Explanation of Policy

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydro-electric power, fish and wildlife and their habitats as will be identified in Coastal Area Maps, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

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

The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.

[15] 2015 New York State Energy Plan, Vol. 1, p. 7; 2015 New York State Energy Plan, Vol. 1, p. 11
[16] 2015 New York State Energy Plan, Vol. 1, p. 17.



Explanation of Policy

Under the current conditions this policy does not apply to the Village of Sylvan Beach.

WATER AND AIR RESOURCES POLICIES

Policy 30

Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into inland waterways will conform to State and National water quality standards.

Explanation of Policy

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

Policy 31

State policies and management objectives of approved local Waterfront Revitalization Programs will be considered while reviewing inland waterway classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and the policies of LWRPs approved by the Secretary of State shall be factored into the review process for inland waterways. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting". Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," and all new waste discharges must receive "best practicable treatment." However, along stream segments classified as "water quality limiting", waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development.



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

In the village of Sylvan Beach, pursuant to § 103-5 of the Village Code buildings that generate or are capable of generating and/or discharging sewage and are 100 feet from the property line to a mainline sewer and within 300 feet of the property line will be required to connect to public sewers. Where a public sanitary sewer is not available under the provisions of § 103-5, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the New York State Department of Health dealing with septic tank installations. Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These types of systems are often more cost effective in smaller, less densely populated communities and for which conventional facilities are too expensive.

Policy 33

Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

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. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such 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 inland waterways from vessels subject to State jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.

Explanation of Policy

All untreated sanitary waste from vessels is prohibited from being discharged into the State's inland waterways. Where inland waterway resources or activities require greater protection than afforded by this requirement the State may designate vessel waste no discharge zones. Within these no discharge zones the discharge of all vessel waste whether treated or not is prohibited. A determination from EPA that an adequate number of vessel waste pump-out stations exists is necessary before the State can designate a no discharge zone. The State prepared a Clean Vessel Act Plan which identifies the State's waters for which no discharge

zones are needed, and the number of vessel waste pump outs required to obtain the determination from EPA. The discharge of other wastes from vessels is limited by State law.

Policy 35

Dredging and filling in inland waterways and disposal of dredged material 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.

Explanation of Policy

Dredging, filling, and dredge material disposal are activities that are needed for waterfront revitalization and development, such as maintaining navigation channels at sufficient depths, pollutant removal, and other management needs. Such projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important inland waterway resources. Often these adverse effects can be minimized through careful design and timing of the dredging or filling activities, proper siting of dredged material disposal sites, and the beneficial use of dredged material. Such projects shall only be permitted if they satisfactorily demonstrate that these anticipated adverse effects have been reduced to levels which satisfy State permit standards set forth in regulations developed pursuant to Environmental Conservation Law, (Articles 15, 24, 25, and 34), and are consistent with policies pertaining to the protection and use of inland waterway resources (LWRP policies 7, 15, 19, 20, 24, 26, and 44).

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 inland waterways; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

Explanation of Policy

See Policy 39 for definition of hazardous materials.

Policy 37

Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics, and eroded soils into inland waterways.

Explanation of Policy

Best management practices used to reduce these sources of pollution could include, but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques.

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.



Explanation of Policy

Surface and groundwater are the principal sources of drinking water in the State, and therefore must be protected. Since Long Island's groundwater supply has been designated a "primary source aquifer," all actions must be reviewed relative to their impacts on Long Island's groundwater aquifers.

Policy 39

The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within the waterfront revitalization area 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.

Explanation of Policy

The definitions of terms "solid wastes" and "solid waste management facilities" are taken from the New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted byproducts of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901[3]), as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: 1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or 2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed, transported or otherwise managed."

A list of hazardous wastes (NYCRR Part 366) will be adopted by DEC within 6 months after EPA formally adopts this list. (currently contained in 6 NYCRR Part 371). Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include filling of wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

Policy 40

Effluent discharged from major steam electric generating and industrial facilities into inland waterways will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

Explanation of Policy

The State Board on Electric Generation Siting and the Environment must consider a number of factors when reviewing a proposed site for facility construction. One of these factors is that the facility shall "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 effect of thermal discharges on water quality and aquatic organisms is considered by the siting board when evaluating any applicant's request to construct a new steam electric generating facility.



Policy 41

Land use or development in the waterfront revitalization area will not cause national or State air quality standards to be violated.

Explanation of Policy

New York's Waterfront Revitalization of Coastal Areas and Inland Waterways Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the waterfront revitalization area.

To the extent possible, the State Implementation Plan will be consistent with waterfront revitalization area lands and water use policies. Conversely, 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.

The Department of Environmental Conservation will allocate substantial resources to develop a regulatory and management program to identify and eliminate toxic discharges into the atmosphere. The State's Waterfront Revitalization of Coastal Areas and Inland Waterways Program will assist in coordinating major toxic control programming efforts in the inland waterway regions and in supporting research on the multi-media nature of toxics and their economic and environmental effects on inland waterway resources.

Policy 42

Waterfront revitalization program 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 local coastal and inland waterway management programs 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 prevention of significant deterioration land classifications along inland waterways 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 Waterfront Revitalization of Coastal Areas and Inland Waterways Program and LWRP policies.

Policy 43

Land use or development in the waterfront revitalization area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.

Explanation of Policy

The Waterfront Revitalization of Coastal Areas and Inland Waterways Program incorporates the State's policies on acid rain. As such, the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of inland waterway fisheries, wildlife, agricultural, scenic and water resources.



WETLAND POLICY

Policy 44

Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.

Explanation of Policy

The northern half of the Sylvan Beach WRA has a considerable number of freshwater wetlands. Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semiaquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the NYS Protection of Waters Act (Water Resources Law, Environmental Conservation Law Article 15).

The benefits derived from the preservation of freshwater wetlands include but are not limited to:

- habitat for wildlife and fish, and contribution to associated aquatic food chains
- erosion, flood and storm control
- natural pollution treatment
- groundwater protection
- recreational opportunities
- educational and scientific opportunities
- aesthetic open space in many otherwise densely developed areas

SECTION 4 PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

This section of the LWRP describes the proposed land and water uses and proposed projects within the Village of Sylvan Beach WRA. They will help to shape the Village into a pleasing and attractive destination for private investment and improve the quality of life for both residents and visitors.

PROPOSED LAND USE



Map 4.1 - Sylvan Beach Revitalization Focus Area
Village of Sylvan Beach Local Waterfront Revitalization Program

The existing land use within the Village will continue. The Village's long-range goal for the WRA is to make necessary improvements that will maintain and improve the quality of life for residents, strengthen recreational uses and enhance public access and use of the waterfront. The village will continue to investigate additional means to reach the goals of this LWRP, such as building on existing trends to create an amusement district located south of 5th Avenue. Efforts will be made to connect existing parks and other waterfront facilities through improved bicycle and pedestrian facilities and enhance recreational uses.

Map 4.1 Sylvan Beach Revitalization Focus Area highlights the area where a concentration of local landmarks, businesses, and recreational activities already exist, and that constitutes the focus of the village's future waterfront revitalization efforts.



PROPOSED WATER USE

Recreational boating, fishing, swimming, and public bathing are the primary water uses along the Sylvan Beach shoreline. The Village's long-range goal for the waterfront is to make necessary improvements for residents to maintain or improve their quality of life, enhance public access in targeted locations, and to enhance or improve public recreation and engagement with the waterfront. Current water uses will be continued within the WRA.

Article 42 of the Executive Law requires the village to prepare an inventory of the existing natural and cultural resources within the WRA, including uses of surface waterbodies and underwater lands and areas where water-dependent uses are concentrated and may be conflicting and competing for space. The Village identified the harbor management areas (HMA) described in Section I and illustrated on Map 1.1 Sylvan Beach Waterfront Revitalization Area as the only area where the Village considers that boating and swimming/wading are conflicting and competing for space. Section II describes the water-dependent uses and structures that exist within the Sylvan Beach HMA and the controls adopted by the village to prohibit boating within 1,500 feet from the shoreline, where the user of the public beach would enjoy swimming. Village regulations are also described in Section V of the LWRP. Most of the other areas within the WRA are focused just on boating, which the Village considers to be adequately controlled by the NYS Canal Law.

In 2005, the Village used the authority provided by the NYS Town Law to adopt Chapter 15. Beaches of the Village Code and prohibit boating within 1,500 feet from the shoreline of the local public beach. Pursuant to Article 42, the Sylvan Beach WRA includes the 1,500 feet wide portion of eastern side of Oneida Lake adjacent to the public beach and covered by Chapter 15. Beaches of the Village Code, which is not part of the Village's municipal area.

In addition, the Sylvan Beach pier, an important local and regional landmark, and a navigational feature in an advanced state of disrepair owned by the Canal Corporation, is located within the HMA. The portion of the pier located within the HMA will allow the Village to be an active partner in the renovation of the pier, which has the potential to become the regional landmark that used to be during the first half of the last century and to offer additional safe public access to the Oneida Lake. The renovation of the pier will enhance the revitalization efforts currently underway within the adjacent Commercial Resort District.

As indicated in Section II of the LWRP, the use of the bathing beach and swimming area on Oneida Lake within the Village of Sylvan Beach WRA are regulated and overseen by Oneida County, pursuant to NYS Health Law. The NYS Canal Law and its implementing regulations control navigation and structures within the NYS Canal System. The Canal Corporation enforces the Canal Law with the assistance of the County Sheriff. The Oneida County Sheriff's Marine Section[17] is responsible for water safety and enforcement efforts on six lakes (Oneida, Delta, Hinckley, White, Kayuta and Otter) and portions of the Barge Canal within the County of Oneida. The Canal Corporation also provides Design and Construction Requirements for Residential/Non-Commercial Docks, Decks, Platforms and Boat Launches/Ramps to ensure all structures within the Canal System follow the same standards, are safe, and don't interfere with navigation.

With two exception, the village considers the existing State regulations to be sufficient for the level of conflict and intensity of water-dependent uses within the Sylvan Beach WRA. To make the beach and the use of the

[17] http://oneidacountysheriff.us/lawenforcement/marinepatrol



adjacent swimming area safe, the Village used the authority provided by Section 130.17 of the NYS Town Law to include in Chapter 15. Beaches of the Village Code restrictions that prohibit boating within 1,500 feet from the shoreline. The area adjacent to the beach is the only public swimming area with the WRA. And, in agreement with the Canal Corporation, the village adopted Chapter 14: Mooring at Publicly Owned Docks, Marinas and Walls, to prohibit vessels to moor longer than 72 hours to any of the public docking facilities within the village limits, which will give more boaters the opportunity to moor in the Village and visit its downtown attractions.

PROPOSED PROJECTS

The following proposed projects were identified through community input from the first community workshop as well as feedback and insights from the Waterfront Advisory Committee members. Business owners and key local stakeholders were also engaged during the creation of these recommendations.

Each of the projects proposed to be undertaken by the Village of Sylvan Beach includes a combination of the following details: project description and benefits, LWRP policies that will be implemented, available project graphics, project location within the WRA, estimated cost, potential funding sources, agencies involved in permitting and potential timeframe. The Village will conduct the State Environmental Quality Review for each of the proposed projects

A NYS Consolidated Funding Application[18] (CFA) has been created in 2011 to streamline and expedite the grant application process for seeking grants for municipal projects from over 30 State programs[19]. The CFA process replaced multiple applications for economic development projects with a single application for state economic development resources from numerous state agencies and institutionalized the role of the Regional Councils in identifying priorities for state resources. The CFA is a modern and easy-to-use online application that allows businesses and other entities to apply for multiple agency funding sources through a single, web-based application. The Village of Sylvan Beach has an ongoing dialogue with the Central New York Regional Council. A step by step guide for how to fill out a Consolidated Funding Application and other guiding resources are made available each year to municipalities. Through the New York State Consolidated Funding Application (CFA) the Village will seek grants from different State agencies with grant programs compatible with each of the proposed projects.

1. Sylvan Beach Pier Rehabilitation

Project Description and Benefits:

The rehabilitation of the Sylvan Beach Pier owned and maintained by the Canal Corporation is one of the highest revitalization priorities for the Village of Sylvan Beach. Because most of the pier is within the HMA of the Sylvan Beach WRA the Village could be an active partner in the rehabilitation process and reuse of this public structure, which could have a positive impact on the Village economy.

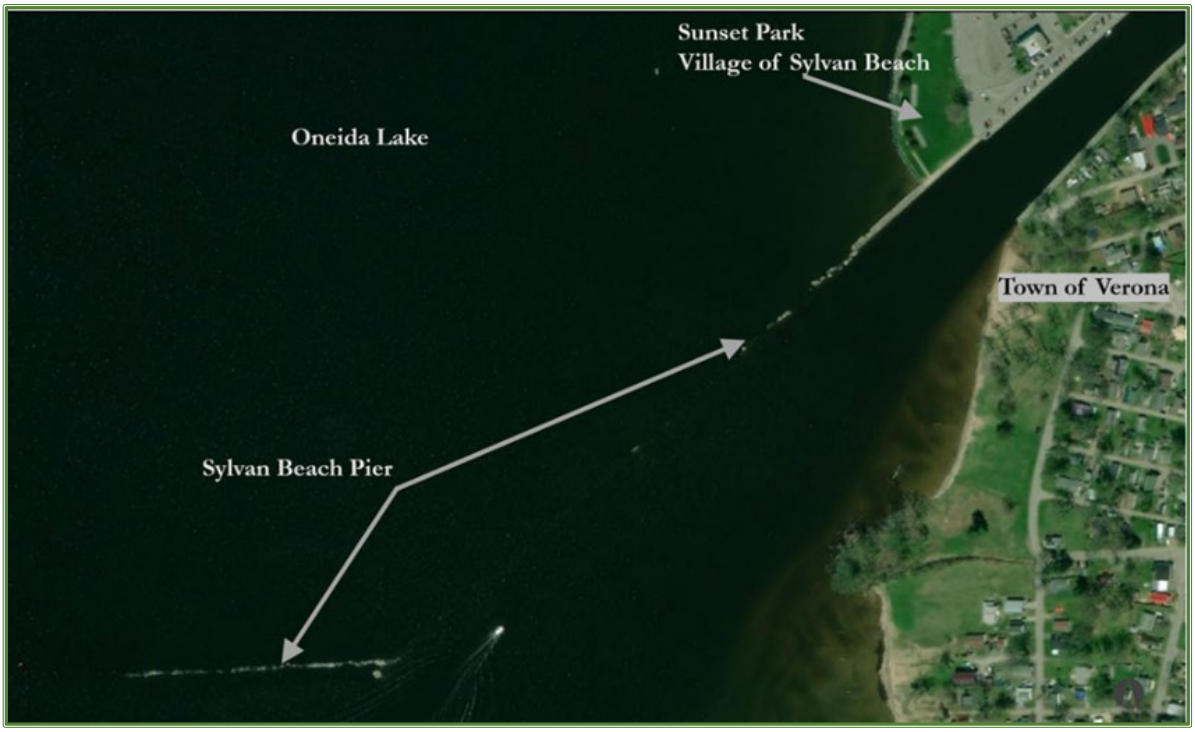
The pier was constructed in 1907 by the State of New York to act as a navigational aid for vessels navigating the Barge Canal System and to prevent sediment movement into the canal. The pier has also served as a site

[18] https://apps.cio.ny.gov/apps/cfa/
[19] https://regionalcouncils.ny.gov/sites/default/files/2019-04/2019ResourcesAvailableGuide_0.pdf



for recreational activity. The Sylvan Beach Pier extends into Oneida Lake from the north guide wall of the New York State Barge Canal, at the mouth of Fish Creek, and is approximately 2,300 feet long. Its section adjacent to the shore extends southwesterly into the lake and consists of a rock-filled timber crib overlaid with concrete cap blocks. An 850-foot long rubblemound breakwater joins the end of the first section and continues in a westerly direction into the lake. The entire structure was built on sand and unstable deposits estimated to be at least 70 ft (21.3 m) thick. Since the pier was built, it has been slowly settling into the lake bottom which has exposed the concrete cap to floating ice and wave attack.[20] For the past few decades the pier is in such a deteriorated condition that it does not provide wave protection for the channel or the opposite shoreline. Also, this condition allows for the accumulation of sediment in the channel and does not provide pedestrian access for various recreation activities. In August 1989, Stetson-Harza Architects and Engineers completed a study[21] of the problems with the Sylvan Beach Pier for Oneida County. The study looked at various solutions to provide a stable and renovated structure. Nothing was implemented following the completion of this study.

Aerial View of the Sylvan Beach Pier



Source: DOS OPD Geographic Information Gateway

In 2004, the U.S. Army Corps of Engineers completed a feasibility study to determine Federal interest in rehabilitating the Sylvan Beach Pier. This study was funded by two federal grants of $750,000 and $2,500,000 and was cost-shared with the NYS Canal Corporation. The following alternatives to remedy the problems were investigated:

1. No Action
2. Without Project Conditions

[20] Sylvan Beach Pier Rehabilitation Study, by Peter W. Soltys, Woolpert Consultants, Cincinnati, United States.
[21] Sylvan Beach Pier Rehabilitation Study, Oneida Lake, New York



3. Plan 1 - Pile Supported Pier with Rubblemound
4. Plan 2 - Rubblemound Pier with 7' Walkway
5. Plan 3 - Sheetpile Containment Structure with Conrete Cap
6. Plan 4a - Sheetpile Containment Structure with H-piles and a Concrete Cap
7. Plan 4b - Sheetpile Containment Structure with H-piles and an Architectural Cap

The study prepared for the U.S. Army Corps of Engineers demonstrated that there was a Federal interest in the construction of a new Sylvan Beach Pier and recommended to proceed to the preparation of the Plans and Specification for construction. However, no construction documents were developed based on this study.

The Village Board of Trustees, village residents, and local businesses, are very interested in reviving those past efforts and coordinate with Canal Corporation and other State and federal agencies the rehabilitation of the pier, which will enhance the other private and local government efforts to revitalize the commercial and recreational area located in the southwestern corner of the Village, adjacent to the Pier.

The Pier is an ideal location for public fishing access to the Lake, and for residents and visitors looking to take in the views of the lake and the sunsets. Pedestrian-level amenities would enhance the benefits that the structural improvements would provide for a safe pedestrian access. In addition, sections of the pier may be used for docking of transient boats, which will encourage more boaters to stop in the village and enjoy the public beach, new casino, local eateries, and the Amusement Park.

LWRP Policies Implemented

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to the inland waterways.
- Policy 9: Expand recreational use of fish and wildlife resources in and along inland waterways by increasing access to existing resources, supplementing existing stocks, and developing new resources.
- 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 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities
- 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 shorefront.
- 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 waterfront revitalization area.



Project location within the WRA

The pier is connected to the Village-owned Sunset Park, which defined the southwestern corner of the Village. The southwestern edge of the WRA boundary follows for 1,500 feet along the pier into the Lake.



View of the Canal Wall

Estimated Cost:

- Based on the federal grants awarded for the study completed in 2004, the cost for the investigation of current conditions and preparation of construction documents for pier rehabilitation could reach over $2,000,000. The estimated costs for construction will be determined based on the design that will be developed for the implementation of identified structural improvements necessary to make the pier safe for boaters and pedestrians.

Potential Funding Sources[22]:

- NYS Canal Corporation
- NYS DOS - EPF LWRP
- NYS ESD - Grant Funds
- NYS ESD - Strategic Planning and Feasibility Studies

Agencies involved in permitting:

- NYS Canal Corporation
- NYS DEC
- NYS OGS
- USACE

Potential Timeframe:

The coordination of a joint effort will be initiated as soon as possible.

[22] Acronyms for State and federal agencies and programs are explained in the Glossary following the Table of Contents of the LWRP



2. Sunset Park Improvements



2a. Reconstruct the riprap along Sunset Park

Project Description and Benefits



Riprap and stone structures along the public Sunset Park need physical refurbishment. Erosion and winter storms contribute to the current state of disrepair. An assessment of the current integrity and efficacy of the riprap will be conducted to determine and plan for future repairs and maintenance activities, or for the construction of a nature-based shoreline feature. It will also be examined if the new structure should provide an accessible fishing area.

LWRP Policies Implemented

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- 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 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Project Location within the WRA:

The riprap is located along the southwestern portion of the Village shoreline with Oneida lake, and runs along the western edge of the Village-owned Sunset Park.



Estimated Cost:

- The cost of the assessment, including preliminary designs and engineering: $120,000
- The cost of reconstructing the riprap will be determined through a study

Potential Funding Sources:

- NYS Canal Corporation
- NYS DEC -Water Quality Improvement Project Grants
- NYS DOS - EPF LWRP
- NYS ESD Grant Funds
- Oneida County - Flood Mitigation Grant

Agencies Involved in Permitting:

- NYS Canal Corporation
- NYS DEC
- NYS OGS
- NYS OPRHP
- USACE

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

2b. Sunset Park Amphitheater Feasibility Study

Project Description and Benefits

A feasibility study will be carried out to determine an appropriate and feasible location to site an amphitheater and performance area within or adjacent to Sunset Park. This study will also include cost estimates for construction of the amphitheater and a detailed site plan including size and dimensions of the structure. This amphitheater should have a performance area with a canopy to provide shade and tiered levels for seating. The performance area should be large enough to provide space for a moveable stage for larger performances. A small structure for storing materials and supplies could also be included.



This amphitheater located in Rancho Santa Margarita in California provides a visual representation of what could be developed at Sunset Park in Sylvan Beach.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 4: Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of traditional uses and activities which have provided such areas with their unique maritime identity.



- Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.
- 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 shorefront.

Project Location within the WRA:

Sunset Park is located along the Lake, west of the parking area adjacent to Sunset Avenue. The park contains land that is adjacent to the bathing beach and has a pedestrian connection to the pier owned by the Canal Corporation.

Estimated Cost:

- Amphitheater Feasibility Study, including preliminary designs and engineering: $120,000

Potential Funding Sources:

- NYS Canal Corporation
- NYS DOS - EPF LWRP
- NYS ESD - Grant Funds
- Arts & Cultural Facilities Improvement Program

Agencies Involved in Permitting:

- The study will identify the permitting agencies

Potential Timeframe:

The Village will pursue the first phase of this project in the short-term (1-3 years).

3. Sylvan Beach Welcome Center

Project Description and Benefits:

The Village will complete the design and construction of a Welcome Center, including public bathhouse. The new center will provide needed services to thousands of seasonal visitors who come to enjoy Oneida Lake, thereby creating new local employment opportunities. This will include improvements and renovations to the existing structure at Sunset Park. Additional expansion to the existing bathhouse will include a welcome center and information center that could cater to new full-time residents, new seasonal residents, and the Village's many visitors. The Village is currently finalizing the Center's construction plans.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.



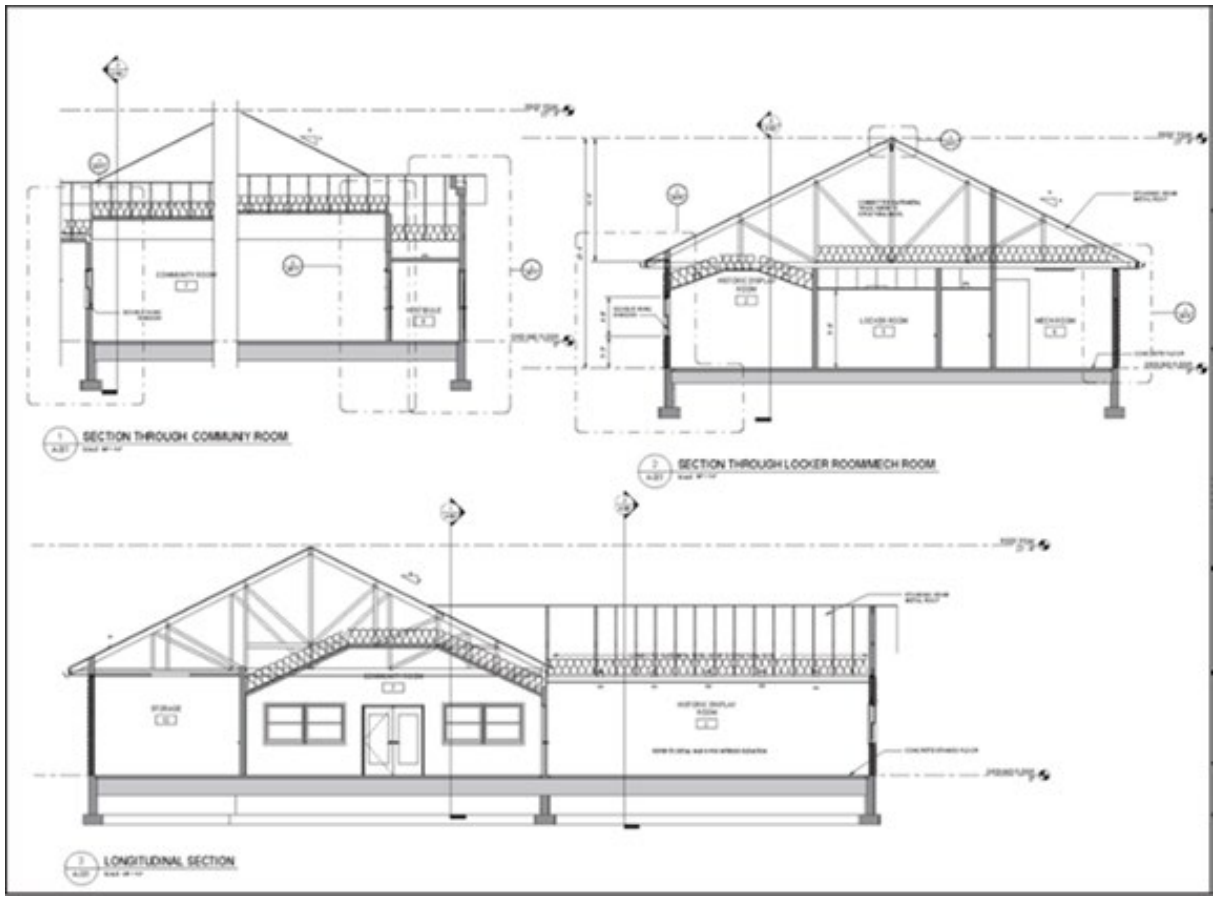
- Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated and will be given priority over non-water-related uses along the shorefront.

Project Location within the WRA:

The Welcome Center will be located at the norther end of Sunset Park.

Estimated Cost:

- Construction costs, including interior appliances and furniture: $2,200,000



Potential Funding Sources[23]:

- NYS Canal Corporation
- NYS DEC- Climate Smart Communities Grant Program
- NYS DOS - EPF LWRP
- NYS ESD Grant Funds
- NYS HCR - CDBG Public Facility Program
- NYSERDA - Energy Efficiency Programs
- NYSERDA - Net Zero Energy for Economic Development
- NYSESD - Market New York

[23] Acronyms for agency names are explained in the Glossary following the Table of Contents of the LWRP



- Arts & Cultural Facilities Improvement Program

Agencies Involved in Permitting:

- NYS DEC
- NYS DOT
- NYS OPRHP
- Oneida County DOH

Potential Timeframe:

The Village is currently completing the design phase of this project and will seek funding for construction through the CFA, during the 2021 round of grants.

4. Midway Area Improvements Study

Project Description and Benefits:

The 'Midway' is comprised of land in the Commercial Resort District and includes both the existing amusement park and the Yesterday's Royal, which is a local landmark recently renovated. Adjacent to these properties are several parcels that are either publicly owned or maintained including the parking area, Sunset Park, and public land along Canal street adjacent to the canal. The Village owns both the parking lot and Sunset Beach and improving connections and amenities from both the park on Main Street and the amusement park to the waterfront is a priority.



The Village will identify strategies aimed at improving underutilized and vacant public spaces including near the corner of Sunset Avenue and Spencer Avenue and improve connections to parkland between Park Avenue and Main Street.

New connections will be aimed at improving conditions for pedestrians and bicyclists. Sylvan Beach will examine the feasibility of developing connections that carry pedestrian traffic across Sunset Avenue and the parking lot to Sunset Park. This will require a pedestrian facility report or study that considers options to extend existing pedestrian facilities from Spencer Avenue, Canal Street, and the amusement park property. The Village will also identify areas to locate and site pedestrian and bicycle amenities including benches, trash receptacles, and bicycle parking. Sylvan Beach will ensure that new street furnishings have a consistent design utilizing durable materials. The Village will explore additional options for new bicycle and pedestrian facilities and improvements along Sunset Avenue, Spencer Street, and Canal Street including, such as sidewalk improvements with consistent material and curbing and "share the road" signage.



Any potential improvements to underground infrastructure must be coordinated with planned road or sidewalk improvements.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Project Location within the WRA:

The Midway area is located north of Canal Street, east of Sunset Park, and west of Bridge Street. Sylvan Beach Amusement Park, the Yesterday's Royal property, and a portion of Main Street Park are all located in this area.

Estimated Cost:

- Pedestrian Facility Report, including preliminary design and cost estimates: $80,000
- The estimated costs for the construction of the proposed streetscape improvements will be presented in the study that will identify the improvements and their location.

Potential Funding Sources:

- NYS DEC- Climate Smart Communities Grant Program
- NYS DOS - EPF LWRP
- NYS ESD - Grant Funds
- NYS ESD - Market New York
- NYS HCR - CDBG, Community Planning
- NYSERDA- Energy Efficiency Programs
- NYSERDA - Net Zero Energy for Economic Development

Agencies Involved in Permitting:

- The study will identify permits necessary for the implementation of the proposed improvements.

Potential Timeframe:

The Village should pursue this project in the short-term (1-3 years)

5. Municipal Parking Improvements

5a. Municipal Parking Improvement Study

Project Description and Benefits:

The municipally owned and operated parking lots are in different states of disrepair. The improvements that are necessary to be made to each of the municipal parking lots will be identified in a study that will include an inventory of current conditions, parking availability and needs, proposed infrastructure to increase stormwater



storage and filtration, screening with bushes or trees along streets and green space, repaving materials, public parking wayfinding signage, LED lighting, preliminary designs and cost estimates and propose bike storage and pedestrian amenities and a maintenance plan.

The study will also identify any necessary improvements to the existing underground infrastructure crossing the site, extent of stormwater filtration and management infrastructure, and expansion of infrastructure necessary to install EV charging stations and public restrooms.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Project Location within the WRA:

Municipal parking lots within the Sylvan Beach WRA

Estimated Cost:

- The cost of the study, including may reach $120,000

Potential Funding Sources:

- NYS Canal Corporation
- NYS DOS - EPF LWRP
- NYS DEC- Climate Smart Communities Grant Program
- NYSERDA - Net Zero Energy for Economic Development

Agencies Involved in Permitting:

- The study will identify permits necessary for the improvements' implementation.

Potential Timeframe:

The Village should pursue this project in the short-term (1-3 years)

5b. Urgent Municipal Parking Improvements

Project Description and Benefits:

Some parking improvements might have to be conducted before the above proposed parking study could be completed. As redevelopment continues to be pursued in the Commercial Resort (CR) District, overflow parking for beachgoers will become a higher priority. The parking lot adjacent to 16th and 17th Avenue, off Main Street, is owned by the Village and needs to be improved. The 16th Avenue lot is near several of established rights-of-way that have been identified as potential public access points to the beach. Also, the municipal parking adjacent to the Sunset Park needs repairs.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.



- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Estimated Cost:

- With an estimated cost of $1.50-$2.00 per square foot, repaving the 1.848-acre lot off 16th Avenue would cost between $120,000 and $170,000.
- LED Lighting for the parking lot could cost between $250-$500 per light fixture.
- Landscaping for the parking lot could cost between $2,500-$5,000
- Wayfinding signage for the parking lot could cost between $4,000-$5,000 per sign.

Potential Funding Sources:

- NYS Canal Corporation – Canalway Grants Program
- NYS DEC- Climate Smart Communities Grant Program
- NYS DOS - EPF LWRP Grants Program
- NYSERDA - Net Zero Energy for Economic Development

Agencies Involved in Permitting:

- NYS OPRHP
- NYS DOT

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

6. Squire's Landing Improvements Plan and Traffic Study

Project Description and Benefits:



Squire's Landing is a publicly owned land located at the bend in Vienna Road near Main Street and downtown and provides access to the waters of the National Lake. The land currently is underdeveloped and has the potential to provide improved waterfront access and amenities. The property now has a kayak dock. Public non-motorized watercraft access is a priority for Squire's Landing. Existing docks will be expanded to fit these facilities. The green area on this parcel will be developed to include benches and other forms of passive recreation for people to enjoy and engage with Fish Creek. A traffic study will be carried out to determine the feasibility and demand for driveway improvements and additional parking near Squire's Landing.



LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to inland waterways.
- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.

Project Location within the WRA:

This project is located adjacent to Fish Creek off Akehurst Avenue and Vienna Road.



Estimated Cost:

- The plan, including preliminary design, associated estimated costs, and traffic study, could cost around $60,000.

Potential Funding Sources:

- NYS Canal Corporation
- NYS DEC- Climate Smart Communities Grant Program
- NYS DOS - EPF LWRP

Agencies Involved in Permitting:

- The plan will be developed with input from State agencies that could be involved in the review and permitting of the implementation, including NYS DOT.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).



7. Formalize Public Access to the Beach via Established Rights-of-way

Project Description and Benefits:

There are many established public streets that could provide public access to the beach with proper directional signage. The Village will formalize and emphasize these public rights-of-way to increase their use as public accessways. Formalized access would ideally include visible and relevant signage and appropriate improvements geared toward pedestrian access.

LWRP Policies Implemented:

- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.

Project Location within the WRA:

There are several public streets north of Akehurst Avenue that end at the beach including but not limited to 13th Avenue, 14th Avenue, Ron Ell Street, and 17th Avenue.



Potential Funding Sources:

- NYS DOS - EPF LWRP
- NYS Canal Corporation
- NYS DEC- Climate Smart Communities Grant Program

Agencies Involved in Permitting:

- NYS DOT
- NYS OPRHP
- Oneida County DOH



Potential Timeframe:

This project should be pursued in the long-term (5-10 years). This project should be pursued concurrent with expanding the beachfront.

8. Wayfinding and Streetscape Improvements Plan

Project Description and Benefits:

Beyond helping people not get lost, wayfinding reflects the community's brand and gives people a sense of place. The development of a wayfinding signage plan would help the village identify and reflect its brand. Having a central theme to signs and kiosks will make them more accessible and noticeable to visitors that need to navigate the Village. Visitors to Sylvan Beach need to be guided to important areas in the Village including Sunset Park, the public beach and swimming areas, the amusement district and Midway Mall, other Village parks, hiking and multi-use paths, and the Village offices. Informational kiosks and/or tourist maps can contribute to wayfinding efforts.

Streetscaping was heavily discussed at the first community workshop. Many community members remarked that a streetscape plan for Main Street was imperative for the future success and conditions of the corridor. A well-designed streetscape can make a significant contribution in developing a strong sense of place and a vibrant public realm. Creating a vibrant streetscape is less about a beautiful aesthetic than it is about evoking a warm and comfortable feeling on the street. An inviting streetscape will draw people downtown by sending a message that the street is the primary public space to be enjoyed by motorists, bicyclists, and pedestrians. The following components will be considered when developing an overall streetscape plan for the Village's Main Street:

A. Wayfinding Elements and the Village Brand

Wayfinding connects visual elements of a physical environment to orient visitors. The plan will define a village brand and propose wayfinding elements and designs to be manufactures and installed.

B. Pedestrian-level lighting

If funding for a streetscape enhancement program is attained, Sylvan Beach should consider the best method for replacing existing street lighting with pedestrian-level lighting that is more engaging to people walking and enjoying Main Street. Street lighting can add immense benefits to an overall streetscape, especially to pedestrians. This lighting will help make Main Street feel safer, while providing more uniqueness and character to the streetscape.

C. Benches, trash receptacles, and bicycle racks

Strategically placed benches, trash receptacles, and bicycle racks provide needed amenities for residents and Main Street visitors while adding more color and life to the overall streetscape. New and uniform benches should replace existing benches and be placed at various locations on Main Street as well as in front of the pavilion at the park. Trash receptacles and bike racks should also have a uniform design and be placed in several locations along Main Street. This streetscape plan should also encourage outdoor seating areas.



D. Street Trees

Street trees provide necessary shade to pedestrians and also provide an aesthetic benefit to all passersby. Trees can improve the function and feel of the street by creating an enclosure that makes the street feel welcoming, narrower which consequently slows vehicular traffic and improves pedestrian-friendliness. Trees should be placed to create a rhythm and consistent canopy along the street, approximately 40 feet apart. Close attention should be paid to the species of trees to make sure the growth habits and branching patterns as to not limit the obstruction of storefronts, merchant signs, and entryways. There are some existing street trees along Main Street, but efforts should be made to fill in any existing gaps. Any semblance of consistent street tree enclosure disappears north of the intersection of Main Street and Akehurst Avenue/Vienna Road. This should be addressed in a future streetscape program.

E. Landscaping and Screening

Improving landscaping in areas along and around Main Street will provide another aesthetic benefit to the streetscape. New design elements will be considered for the pavilion and park area on Main Street including a larger seating area with new trees and plantings to help frame the public space as a performance area.

Screening is a landscaping technique that provides more comfort for pedestrians while also shielding passersby from unappealing views. Sylvan Beach's Main Street has several areas where screening could be improved. There are several parking lots that need appropriate screening with a tree lawn or other plantings to provide a more appealing pedestrian experience, which is critical for the long-term success of any main street.

Landscaping and Screening can also help with traffic calming and use of pervious surfaces and attention to drainage concerns should be considered.

F. Bicycle Facilities

The plan will investigate the potential for construction of new bicycle facilities, including but not limited to bicycle boulevards and bike lanes that could create connections between the beach and Sunset Park and Main Street. This connection could utilize Bridge and Canal Streets and could include bicycle lanes, sharrows, or multi-use paths. Accommodating cyclists is also a priority for Main Street. However, NYS DOT advises that unless on-street parking is removed Main St. cannot accommodate bike lanes in both directions, sharrows may need to be used instead, or a multi-use path created in the park area west of Main Street. Facilities should also be included on the bridge leading into Sylvan Beach's Main Street. This could eventually lead to a connection to the NYS Route 5 Bicycle Trail on State Route 31 in Verona. NYS DOT also advises that the bridge leading into Sylvan Beach on Route 13 via Verona Beach should be evaluated for the ability to add bicycle and pedestrian facilities to the structure.

The entire plan for accommodating cyclists on Main Street (NYS Route 13) and on the bridge leading into Sylvan Beach's Main Street must be evaluated in consultation with NYS DOT.

G. Charging Stations for Electric Vehicles

New York State is striving to be ready to accommodate 1 million plug-in electric vehicles by 2025 through Charge NY. The village will identify the best location and existing funding for installation of EV charging stations.



LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.

Project Location within the WRA:

- Streetscaping efforts should be considered and prioritized within the entire WRA.

Estimated Cost:

- The development of this plan, including designs and cost estimates for implementation, would cost around $80,000. The following are potential costs:
  - Pedestrian-level lighting: $2,000-$3,000 per streetlight (This can vary depending on materials used, lighting design, and other factors).
  - Benches, trash receptacles, and bicycle racks:
  - Benches – $1,000-$2,500 per bench
  - Trash receptacles – $500-$1,000 per receptacle
  - Bicycle parking – $500-$1,000 per bike rack
  - Street trees: $600,000-$800,000 (This is dependent on tree species, and total amount of trees)
  - Landscaping and screening: Cost for this portion will vary depending on the extent and type of landscaping and screening desired but could range between $250,000-$500,000.
  - Bicycle facilities costs could range between $200,000-$400,000 depending on desired facilities and streets.

Potential Funding Sources:

- NYS DOT
- NYS DOS – EPF LWRP
- NYS DEC- Climate Smart Communities Program
- NYS ESD - Strategic Planning and Feasibility Studies

Agencies Involved in Permitting:

- The plan will specify the agencies that will issue construction permits.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

9. Public Marina Feasibility Study

Project Description and Benefits:

The Village has determined that there is sufficient demand and need for a new marina near the pier and waterfront. No location has been identified as the ideal site for a future marina, and the Village will undertake a feasibility study to determine where to site a future marina, among other considerations.

Additional items for the feasibility study to determine includes but is not limited to:



- Number of boat-slips
- Whether to charge for boat slips
- The need for overnight parking

The Village will coordinate the development of the study with the NYS Canal Corporation, which controls any proposed actions within the NYS Canal System.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Project Location within the WRA:

A project location has not been determined and will be the primary objective of the feasibility study. Locations nearer the pier will be given priority.

Estimated Cost:

- The cost for this feasibility study, including alternative locations and preliminary designs, could be around $100,000.

Potential Funding Sources:

- NYS Canal Corporation
- NYS DEC- Climate Smart Communities Program
- NYS DOS – EPF LWRP Grants Program
- NYS ESD - Strategic Planning and Feasibility Studies

Agencies Involved in Permitting:

- The study will identify the necessary permits for implementation

Potential Timeframe:

This project should be pursued in the short-term (1-3 years). The study should be pursued soon after adoption of the LWRP.

10. Develop a Façade Improvement Program

Project Description and Benefits:

Sylvan Beach will develop a façade improvement program that may offer incentives to encourage improvements consistent with the desired aesthetic for Main Street. New façades will consider design guidelines that provide desired elements including but not limited to appropriate façade lengths, locations, relationships to the public realm, and materials. This project will require support from Main Street property owners. Incentives include, but are not limited to, deferred assessment increases or matching grants to help with project costs. Incentives should require match funding and investment by property owners.



LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.

Project Location within the WRA:

All businesses along Main Street in the Village should be eligible for a façade improvement program.

Estimated Cost:

- Loans should be pursued through identified funding sources and could range between $15,000-$25,000 per individual façade.

Potential Funding Sources:

- NYS Homes and Community Renewal (HCR)- New York Main Street Program

Potential Timeframe:

This project should be pursued in the medium-term, possibly concurrent with a streetscape plan.

11. Stormwater Management Study

Project Description and Benefits:

A study will be developed to examine current drainage and stormwater filtration conditions, identify necessary type and location of green infrastructure that could alleviate the recurrence and level of flooding, identify porous materials to be used in future road projects to allow for the ease of stormwater runoff and to reduce pooling, and develop guidelines that will reduce natural and man-made water runoff. This effort will also identify the need for street tree plantings and other natural features and include estimated costs and an implementation schedule. The following stormwater reduction techniques will be considered, to a minimum:

- Dry swales
- Vegetated swales
- Rain gardens
- Green roofs



Implementing physical stormwater reduction measures, such as the swale pictured above, will help to alleviate Village flooding challenges and manage runoff.



LWRP Policies Implemented:

- Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.
- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into designated inland waterways.
- Policy 37: Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics, and eroded soils into designated inland waterways.

Project Location within the WRA:

This study will cover the entire WRA and include focus areas highly prone to flooding. Most of these areas are adjacent to Fish Creek along the eastern boundary of the WRA. Residential streets and neighborhoods near the creek are particularly at risk.

Estimated Cost:

- The cost of the study may be $140,000

Potential Funding Sources:

- NYS DOS – EPF LWRP
- NYS EFC- Green Innovation Grant Program
- NYS HCR - CDBG, Public Infrastructure Program
- NYS HCR – CDBG, Community Planning
- Oneida County -Flood Mitigation Grants

Agencies Involved in Permitting:

- The study will identify the permitting agencies for the implementation of the proposed green infrastructure.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years)

12. Beach Debris and Street Sand Cleaning Plan

Project Description and Benefits:

The Village needs to identify ways to reduce the sand reaching the Main Street and a schedule for the removal of sand and beach debris on Main Street, as well as the maintenance of its beaches including the removal of weeds and debris. The Village will determine the need and extent for regular maintenance and removal of debris from the beachfront.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.



Project Location within the WRA:

The project area should include Main Street, as well as some streets providing access to the beach and waterfront such as Park Avenue and Akehurst Avenue.

Potential Funding Sources:

- NYS DOS – EPF LWRP
- NYS EFC- Green Innovation Grant Program

Agencies Involved in Permitting:

- The agencies involved in permitting will be identified in the plan

Potential Timeframe:

This project could begin in the short-term (1-3 years). The Village should parse tasks from this project for the Village's Department of Public Works.

13. Public Beach Improvements

13a. New Boardwalk Feasibility Study

Project Description and Benefits:

Conduct a study to determine the feasibility of developing a boardwalk on the public beach. In the 1960s the Sylvan Beach boardwalk was a beach feature enjoyed by visitors.



The new boardwalk may be extended into the Village Center district along Main Street via Akehurst Avenue. A boardwalk would contribute to the walkability of the Village's Main Street while creating another pedestrian



connection between the beach and Main Street. This study will address the following objectives among others:

- Identify the dimensions of the boardwalk including the length of the boardwalk along the beach.
- Determine if additional pedestrian improvements on Akehurst Avenue are needed to better connect the boardwalk to Main Street.
- Determine if any properties would need to be acquired by the Village.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 2: Facilitate the siting of water-dependent uses and facilitates on or adjacent to inland waterways.
- 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.
- Policy 12: Activities or development in the waterfront revitalization 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.
- Policy 18: To safeguard the vital economic, social, and environmental interests of the State and of its citizens, proposed major actions in the waterfront revitalization area must give full consideration to those interests and to the safeguards which the State has established to protect valuable inland waterway resource areas.
- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.
- 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 shorefront.

Project Location within the WRA:

The boardwalk could stretch along the eastern side of the beach and connect the beach to the Village's Main Street via Akehurst Avenue.

Estimated Cost:

- The design and engineering of the boardwalk could cost around $40,000. The cost of construction will be reflected in the study, based on the preliminary designs, and selected materials.

Potential Funding Sources:

- NYS Canal Corporation
- NYS DOS - EPF LWRP

Agencies Involved in Permitting:

- The study will identify the permits necessary for the installation of the boardwalk.

Potential Timeframe:

This project should be pursued in the long-term (5-10 years).

13b. Public Beachfront Extension Study

Project Description and Benefits:

The Village will examine the feasibility of extending the public beachfront north to McClanathan Avenue and the edge of the PL District of the Village. In addition to providing wider public access to the waterfront, this will also afford the Village the opportunity to better address and determine solutions to improve water quality of the lake, particularly regarding blue algal blooms that are common in that portion of Oneida Lake. This study will address the following objectives, among others:

- Determine ownership of parcels along the beach.
- Discuss with each property owner if they are willing to grant an easement to the Village for their portion of the beach.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources 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 it shall be provided in a manner compatible with adjoining uses.
- 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 shorefront.

Project Location within the WRA:

This project would extend the public beachfront from Akehurst Avenue to the northern boundary of the Village at McLanathan Avenue.

Potential Funding Sources:

- NYS Canal Corporation
- NYS DOS - EPF LWRP
- NYS OPRHP - Recreational Trails Program

Agencies Involved in Permitting:

- The study will identify permitting agencies.

Potential Timeframe:

This project should be pursued in the long-term (5-10 years).



14. Sylvan Beach Trail Network Improvements Plan

Project Description and Benefits:

The Village will develop a plan, including designs and construction cost estimates, to improve local trails and connect them with the existing regional trail systems, including the Empire State Trail. The plan will integrate relevant recommendations from other planning efforts.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- 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 shorefront.

Project Location within the WRA:

This is a village-wide project. Future bike connections may be focused on Main Street and connectivity with the New York State Bike Route 5 by way of NYS Highway 13 and NYS Highway 31/Lake Road.

Estimated Cost:

- The development of the plan including designs, phases of implementation and estimated costs will cost around $120,000.

Potential Funding Sources:

- NYS Canal Corporation
- NYS DOS - EPF LWRP
- NYS OPRHP - Recreational Trails Program
- NYS DOT

Agencies Involved in Permitting:

- The development of the study will be coordinated with different State agencies, including the NYS DOT Region 2 Bicycle and Pedestrian Coordinator. Also, the study will indicate the permits needed for the implementation of the planned trail improvements.

Potential Timeframe:

This project should be pursued in the long-term (5-10 years).

15. Inventory of Historic Structures

Project Description and Benefits:

An updated inventory of all Sylvan Beach's historic structures will be completed, to identify if any sites or structures may need to be included in the State or National registers. This inventory should also determine if there is a need for a historic preservation local law.



LWRP Policies Implemented:

- 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.

Project Location within the WRA:

The study will cover the entire village, with a focus on the western half of the village.

Potential Funding Sources:

- NYS Canal Corporation
- NYS DOS - EPF LWRP
- NYS OPRHP – Preservation and Heritage Program

Agencies Involved in Permitting:

- The study will identify permitting agencies.

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).

16. Streambank Restoration Techniques, Dredging, and Local Incentives Study

Project Description and Benefits:

A study will be conducted in collaboration with relevant State agencies to identify the adequate streambank stabilization methods and the impact of dragging on navigation and recurrent flooding along Fish Creek. The study will also identify and develop related educational materials for residents and identify and recommend types of incentives that the local government may use to encourage landowners to implement streambank stabilization along Fish Creek.

LWRP Policies Implemented:

- Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

Project Location within the WRA:

This project should cover the banks of the Fish Creek within the Sylvan Beach WRA.

Estimated Cost:

- The development of the study and educational materials may cost around $120,000

Potential Funding Sources:

- NYS DOS - EPF LWRP
- Oneida County – Flood Mitigation Grants



Agencies Involved in Permitting:

- The study will identify the agencies that will be involved in the implementation of the identified bank stabilization methods.

Potential Timeframe:

This is a high-priority project and should be pursued in the immediate short-term within (1-2 years.)

17. Public Beach Sand Replenishment

Project Description and Benefits:

A plan will be developed to identify the sources of sand that could be used for the periodical nourishment of the public beach, agreements the local government might need have with State agencies overseeing the sources of sand, necessary permits for beach nourishment, how often the beach nourishment should be done, associated estimated costs and village departments responsible for periodic beach maintenance.

The beach is an important recreational resource and a natural protective feature keeping the water of the lake away from the homes located along its eastern side.

LWRP Policies Implemented

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 2: Facilitate the siting of water dependent uses and facilities on or adjacent to inland waterways.
- Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Project Location within the WRA:

The public beach is located along the western side of the WRA, along Oneida Lake shoreline.

Estimated Cost:

- The development of the plan may cost $40,000 The cost for the actual sand replenishment will be included in the plan.

Potential Funding Sources:

- NYS DOS - EPF LWRP
- Oneida County – Flood Mitigation Grants

Agencies Involved in Permitting Sand Replenishment:

- NYS Canal Corporation
- NYS DEC
- NYS OGS
- Oneida County DOH
- USACE



Potential Timeframe:

The development of a plan and program is a high-priority project and should be pursued as soon as possible.

18. Establish Flood Management Strategy and Practices

Project Description and Benefits:

The village will develop a plan that identifies where flooding occurred for the past years within the village limits, the causes of recurrent flooding and means to reduce the occurrence and level of flooding. The following strategies and practices will be pursued:

a. Collaborate with federal, State, and regional agencies to determine need for flood management projects

Establish cooperation between the Village, the Canal Corporation, and the Army Corps of Engineers to assess the need for flood management, particularly in the more flood-prone areas of Fish Creek along the eastern boundary of Sylvan Beach.

b. Assess how to develop needed flood warning programs

Consider flood warning programs and develop a system to ably warn community members of flood events.

c. Pursue flood mitigation projects with the Town of Vienna

Pursue flood mitigation of Fish Creek with the Town of Vienna to ensure that the efforts of both municipalities are consistent.

d. Formalize a system for flood management

Develop a set of strategies and/or plans to manage flooding in the Village, particularly on properties adjacent to Fish Creek.

e. Consider if seawall maintenance should be required in the Village Code

Examine the impact of amending the Village Code to require property owners to maintain and repair existing flood-protection structures.

LWRP Policies Implemented:

- Policy 12: Activities or development in the waterfront revitalization 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.

Estimated Cost:

- There are no monetary costs associated with the steps of this project, although they will take time, effort, and collaboration with various Federal, State, and local entities.

Potential Funding Sources:

- Village Budget



Agencies Involved in Permitting:

- The plan will identify if permits will be necessary for the implementation of the proposed practices.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

19. Protect and Preserve Local Freshwater Wetlands

Project Description and Benefits:

Identify and examine local impact of measures to protect and preserve Village wetlands, such as:

- Adopt DEC recommendations for municipal wetland management into the existing zoning ordinance
- Ensure that development conforms to SEQR standards
- Reduce the loss of wetlands resulting from development pressures
- Preserve the maximum amount of natural drainageways to allow for the natural recharge of groundwater

LWRP Policies Implemented:

- Policy 12: Activities or development in the waterfront revitalization 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.
- Policy 44: Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.

Project Location within the WRA:

Large freshwater wetlands are located in the center and northeastern side of the WRA.

Estimated Cost:

- Costs for this project will depend on any desired updates or amendments to the Village municipal code and could range between $10,000-$20,000.

Potential Funding Sources:

- Village Budget

Agencies Involved in Permitting:

- Sylvan Beach Planning Board
- Sylvan Beach Village Board of Trustees
- Sylvan Beach Zoning Board of Appeals

Potential Timeframe:

This project should be pursued in the medium-term (3-5 years).



20. Evaluate Salting Practices within the WRA

Project Description and Benefits:

The Village will evaluate their road salting practices on Village-controlled roads where applicable and develop use guidelines and strategies to efficiently clear roads without causing excess harm to the environment.

LWRP Policies Implemented:

- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Project Location within the WRA:

The streets in the village.

Estimated Cost:

There are no monetary costs associated with the steps of this project, although they will take time, effort, and collaboration among Village staff.

Potential Funding Sources:

- Village Budget

Agencies Involved in Permitting:

- NYS DOT
- Oneida County DOH

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

21. Erosion and Sediment Controls for Highway Practices within the WRA

Project Description and Benefits:

Sylvan Beach will identify and establish controls to reduce the impact of sedimentation and flooding caused by the deposition of sand in ditches and stormwater pipes. These controls should be based on approaches and measures taken by similar communities. The Village Department of Public Works will coordinate effort with the Town of Vienna Highway Department.

LWRP Policies Implemented:

- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Project Location within the WRA:

Roads within Sylvan Beach WRA.

Estimated Cost:

The costs will be reflected in the plan identifying necessary controls.



Potential Funding Sources:

- Village Budget

Agencies Involved in Permitting:

- NYS DOT

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

22. Management Plan for Beach Closures

The Village will work with the Oneida Lake Association and Oneida County Department of Health to develop a management plan for dealing with lake closures due to pollution influxes from surrounding communities. This will entail intermunicipal agreements between Oneida Lake communities, including the Village of Sylvan Beach, and with New York State.

LWRP Policies Implemented:

- Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Project Location within the WRA:

Public beach along Oneida Lake.

Estimated Cost:

The costs will be reflected in the plan.

Potential Funding Sources:

- Village Budget

Agencies Involved in Permitting:

- Oneida County DOH

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

23. Food and Medical Services

A study will be developed to assess if the current food, hospitality, and medical services accessible to resident and the tourist are sufficient, and to recommend improvements and tools to encourage the opening of new businesses that could cover the gaps in the range or quality of current services.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.



Project Location within the WRA:

Waterfront Revitalization Area

Estimated Cost:

This study may cost around $40,000

Potential Funding Sources:

- NYS ESD

Agencies Involved in Permitting:

- The study will indicate what agencies will be involved.

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

24. Public Restroom Facilities

To improve how the public experiences the public parks, the beach and other local recreational sites within the Sylvan Beach WRA the village will install public restroom facilities at key locations.

LWRP Policies Implemented:

- Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.
- Policy 19: Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Project Location within the WRA:

Locations near or within public parks and other public spaces.

Estimated Cost:

One restroom facility may cost around $600,000.00

Potential Funding Sources:

- NYS Canal Corporation
- NYS DOS – EPF LWRP
- NYS ESD

Agencies Involved in Permitting:

- NYS DOH

Potential Timeframe:

This project should be pursued in the short-term (1-3 years).

SECTION 5: TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE LWRP

This section considers existing local laws and other public and private actions that support the implementation of the LWRP. This section also presents the management structure for the LWRP's implementation and provides the Village with an outline of its participation to the State's consistency review process.

NECESSARY LOCAL LAWS AND REGULATIONS

Local laws and municipal regulations are the basic means for the Village of Sylvan Beach to enforce the policies and proposals of the LWRP. Such laws can assure that no actions are taken which will impair or prevent the long-term use of the waterfront, or to frustrate the accomplishment of the policies and purposes of the LWRP.

Chapter 14. Mooring at Publicly Owned Docks, Marinas and Walls

Pursuant to this local law adopted in 2021, Vessels may moor free of charge at publicly owned docks, marinas, or walls for up to 72 hours continuous per week. Vessels wishing to moor in excess of 72 hours must apply for a permit from the Village. Unless extenuating circumstances exist, such permits shall be granted only to commercial and other non-recreational vessels.

This village law adds to and supports the restrictions included in the Canal Law[24], and its implementation Regulations[25].

Chapter 15. Beaches

This chapter of the Village Code was amended in 2005 to enhance the safe use of the beach and the adjacent public access rights-of-way by expanding the list of prohibited activities that have historically tended to produce a non-family-friendly atmosphere and. Except emergency vehicles and other such vehicles authorized by the Village of Sylvan Beach any other motor vehicles are prohibited from using the beach. Animals ae not allowed on the beach. This law also prohibits the operation of any boat within 1500 feet of the shoreline or public beach area within the jurisdiction of the Village. It is also prohibited to start and maintain a fire on the public beach. No structures could be temporarily or permanently placed on the beach, including any docks or any type of watercraft. Also, no person is allowed to deposit on the beach any type of refuse, leaves, brush or aquatic plans.

[24] https://www.canals.ny.gov/about/compliance/canalstatutes.pdf
[25] https://www.canals.ny.gov/about/rulesregs/canalregs.pdf



Chapter 23. Brush, Grass and Weeds

Sylvan Beach has adopted regulations for the specific removal and clearing of dead trees, invasive weeds, brush and rubbish on all developed and undeveloped lots and properties. Adhering to the regulations within this Chapter would help the Village to better maintain and upkeep public areas that become overgrown with weeds, brush, dead trees, and other unwanted plants.

Chapter 48 Fire Prevention and Building Construction Administration

This chapter provides the method of administration and enforcement of the New York State Uniform Fire Prevention and Building Code[26] in the Village of Sylvan Beach and establishes the powers, duties and responsibilities of the Fire Code Enforcement Officer.

Chapter 51. Flood Damage Prevention

The primary purpose of Chapter 51 of the Village Code is to protect the public health, safety, and welfare and minimize losses due to flooding in specific areas in Sylvan Beach. Flood damage is a significant issue every year in Sylvan Beach, and these regulations help prevent damage from flood events. This chapter of the Village Code strives to control uses that are dangerous to public health and safety and those that are particularly vulnerable to floods.

Chapter 54. Freshwater Wetlands

Pursuant to § 24-0501 of Article 24 of the Environmental Conservation Law, the Village of Sylvan Beach adopted Chapter 54. Freshwater Wetlands that allows the Village to administer the regulations of Article 24 within the Village of Sylvan Beach.

Chapter 94. Property Maintenance

The owner, occupant and/or operator of a building, structure, and/or premises within the Village limits of the Village of Sylvan Beach shall maintain the structures and exterior property in compliance with the requirements of the Property Maintenance Code[27]. The Code Enforcement Officer will perform duties and functions in connection with the administration and enforcement of the Property Maintenance Code within the Village of Sylvan Beach. Junk, refuse, abandoned vehicles, and other debris stored on private property can constitute a public nuisance, depreciate property values, and decay community character. This chapter establishes basic regulations for the maintenance and upkeep of the exterior of all properties, while also providing a legal procedure for properties that need remedial action.

Chapter 103. Sewers

The discharge of any sewage, industrial wastes, or other polluted waters to any watercourse within the village, either directly or through any storm sewer, is prohibited by this local law. Use of separate storm sewers and sanitary sewers is mandatory within the Village boundaries. No septic tanks or combined sewers can be constructed within the village boundaries.

[26] New York State Uniform Fire Prevention and Building Code Act - https://www.dos.ny.gov/dcea/laws_regs.html
[27] 2020 Property Maintenance Code of NYS - https://up.codes/viewer/new_york/ny-property-maintenance-code-2020



Chapter 111. Streets and Sidewalks

This law dictates that no person, partnership, firm or corporation owning or occupying land adjoining or abutting upon a village street of the Village of Sylvan Beach shall erect, construct, keep, maintain or replace a fence, guard rail, post, posts or other structure or obstruction upon the lands and premises of such person, partnership, firm or corporation at any point or place thereon beyond the edge of the street right-of-way nor within five feet of the edge of the pavement or traveled portion of any village street in the Village of Sylvan Beach. Also, any person or persons erecting screening devices, shrubbery or other obstructions must conform to the restrictions of this chapter.

Chapter 123. Vehicles and Traffic; Article III: Parking, Standing, and Stopping

To effectively manage public parking during the peak tourist season, the Village has public parking regulations in place. No significant changes to the existing regulations are anticipated. The Village prohibits on-street parking except in specific marked areas, which are metered parking. Beach parking in the Village Beachfront Lot or any other municipal lot or property leased by the Village may be designated as a paid parking area at the discretion of the Board of Trustees.

Chapter 136. Zoning

The Sylvan Beach Village Zoning Code was originally adopted in 2005 and amended in 2009 and 2021. Map 2.2 - Sylvan Beach Existing Zoning included in Section II of this LWRP shows existing zoning districts. As with many zoning laws, it follows a classic format of district regulations, area/height/bulk regulations, nonconformities, administration and enforcement, appeals, and an amending process. The following are the established zoning districts within the Village: R1– Single-Family Residential District intended primarily for single family residential development in the form of detached dwellings, R2 Single-Family Residential with transient owner and non-owner occupied and is intended primarily for single-family residential development in the form of detached dwellings.VC –Village Center District intended to be the cultural and commercial hub of the community and to provide for a diverse and vibrant mixture of resort-oriented commercial and residential development., CR – Commercial Resort District intended to preserve an area within the Village for a full range of commercial businesses that support the local economy., and PL – Public Lands District preserves and enhances the Village's public lands and recreational areas by protecting natural amenities and ensuring governmental or civic facilities are properly located, site designed, and compatible with adjacent development.

The VC district is intended to provide an interesting streetscape for pedestrians as well as create safe and inviting pedestrian spaces. Projects that improve or contribute to a safe and inviting streetscape are implementable in the VC District. The CR district is intended to encourage infill, reuse, and expansion of resort-related business and appropriate uses. Projects that will accomplish the reuse and infill of underutilized properties in the CR district (including the amusement park property and adjacent uses) are implementable in the district.

No development may be commenced within the Village without a zoning permit issued by the Code Enforcement Officer.



§ 136-45 Commercial building design standards.

The design standards for commercial building control building elevations, frontage design, building layout, curb cuts and walkways, building materials, mechanical equipment, and awnings.

§ 136-47 Fences and Walls

These requirements control height, surface, design, and maintence of fencing and walls within all zoning districts in the Village of Sylvan Beach.

§ 136-54 Residential Building design standards

These requirements control the look of porches and yard areas of residential buildings

§ 136-55 Shoreline construction and landscape standards.

These requirements control any construction on shoreline lots and prohibits its interference with the natural course of the adjacent waterway or increases erosion of the shoreline and runoff of surface water into the waterway. It also instructs that any paved or otherwise improved parking, loading or service area within 100 feet of any shoreline shall be designed and constructed so as to minimize surface runoff and the entrance of any chemical pollutants or earthen siltation into the waterway in accordance with the stormwater provisions of the same chapter.

§ 136-74 SEQRA.

This regulation ensures that upon receipt of any complete application the Village or any officer, department, board or bureau of the Village complies with the provisions of the New York State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations as codified in Title 6, Part 1617, of the New York Codes, Rules and Regulations.

§136-76. Site Plan Review

The Village's Zoning Chapter also contains requirements for site plan review under §136-76 in the Village Code. Site plan review applies to any sewer, water, building, floodplain, home occupancy or zoning permit for a parcel that has any nonconforming uses or structures. It also applies to new construction, building additions larger than 144 square feet, changes of use, and substantial remodeling, renovations, and/or modifications.

General review criteria include parking, loading, access, internal site circulation, landscaping and screening, safe pedestrian ways, location and dimensions of signs and lighting, drainage, water and sewer supply, and other environmental considerations.

LWRP Consistency Review Law

Article 42 of the Executive Law require State agencies to determine if a proposed action which they may directly undertake, fund, or approve within the boundaries of an approved LWRP is consistent with the policies and purposes of that LWRP. An action which is inconsistent may not be undertaken, except in extraordinary cases which meet the strict tests established for exceptions. To secure this significant benefit of an approved LWRP, the municipality must make a similar commitment to ensure consistency of local government actions with the LWRP policies and purposes. This is achieved by making sure that local laws implementing the program, such as the zoning law, reflect the provisions of the LWRP and by reviewing local



actions for consistency with the LWRP policies. The LWRP Consistency Review Law establishes the consistency review requirements for actions directly undertaken, approved, or funded by the municipality.

The purpose of the LWRP Consistency Review Law is to provide the legal framework for the review of local government/agencies actions proposed within the WRA, to ensure that the proposed actions are consistent with the LWRP policies and purposes. The minor actions listed in the LWRP Consistency Review Law are not subject to this law. A Waterfront Assessment Form (WAF) is provided in the law, to identify the type of the proposed local action and its potential impact on the WRA and initiate the local consistency review process. The LWRP Consistency Review Law and Waterfront Assessment Form are included in Appendix A of the LWRP.

Other Public And Private Actions Necessary To Implement The LWRP

Public Agencies Actions

New York State Canal Corporation

- Coordinated efforts to rehabilitate the Sylvan Beach pier and breakwater

Department of Environmental Conservation

- Technical assistance for the preparation of studies to control erosion, flooding, and stormwater runoff along Fish Creek.
- Technical assistance for the development of beach nourishment plans and the rehabilitation of the existing retaining wall along beachfront.

Department of State

- Technical assistance and funding for the implementation of eligible projects proposed in Section 4 of the LWRP

New York State Parks, Recreation, and Historic Preservation

- Funding assistance for the planning, design, and construction of improvement projects at Sunset Park.

New York State Department of Transportation

- Technical assistance regarding road and streetscape improvements that will improve conditions for both pedestrians and bicyclists using the Main Street, including guidance on an overall streetscape plan and traffic-calming treatments.

Tug Hill Commission

- Technical assistance on general land use issues and municipal management of LWRP implementation.

Local Management Structure

Local actions directly undertaken, funded, or approved within the Sylvan Beach WRA and subject to the LWRP Consistency Review Law must be reviewed by the Village government and agencies for consistency with LWRP policies and purposes. Local minor actions identified in the LWRP Consistency Review Law are



not subject to the consistency review process described in the body of this law. Proposed local actions that are not minor actions are subject to the Village of Sylvan Beach LWRP Consistency Review Law and shall be reviewed for consistency with the LWRP policies and purposes, as indicated in the body of this law.

The consistency review process starts with the identification of the type of local action proposed within the WRA and the completion and submission for review of a Waterfront Assessment Form (WAF). The WAF is included in the Village of Sylvan Beach LWRP Consistency Review Law and consists of a series of questions about the proposed action. The answers provided in the completed WAF help determine if the proposed action conflicts with any of the LWRP policies. The LWRP Consistency Review Law, including the WAF, is in Appendix A of the LWRP.

The Waterfront Coordinator assigned by the Village Board of Trustees is responsible for the overall management and coordination of the implementation of the LWRP as described in the locally adopted LWRP Consistency Review Law.

Pursuant to the LWRP Consistency Review Law, to perform its task, the Waterfront Coordinator will need to:

- Assist each Village department with preliminary evaluation of actions proposed within the waterfront revitalization area, and with preparation of the WAF; require the applicant for a Village permit to submit all required permit applications together with a completed WAF; write findings and recommendations regarding the consistency of each action proposed by a Village department before the department takes a decision regarding the consistency of the proposed action with the LWRP policies; collect and archive written consistency findings and recommendations and written decisions taken by each Village department on actions proposed within the WRA and subject to the LWRP Consistency Review Law; provide brief annual reports regarding Village actions that required consistency decisions.
- Inform the Village Board of Trustees on implementation, priorities, work assignments, timetables, and budgetary requirements of the LWRP.
- Coordinate the development and submission of grant applications seeking funding from State, Federal, or other sources to fund projects proposed in the LWRP.
- Coordinate and oversee liaison between Village departments, to further implementation of the LWRP.
- Prepare an annual report on progress achieved and problems encountered in implementing the LWRP and recommend actions necessary for further implementation to the appropriate Village Board of Trustees.
- Provide adequate and timely feedback to the New York State Department of State and other State agencies on the consistency of state agencies actions proposed within the Sylvan Beach WRA.
- Perform other functions regarding the waterfront revitalization area and direct such actions or projects as are necessary, or as the Village Board of Trustees may deem appropriate, to implement the LWRP.
- Schedule an annual LWRP coordinating assembly, including but not limited to representatives of the Village Board of Trustees, Planning Board, Zoning Board of Appeals, and other departments or individuals charged with LWRP implementation to discuss the Village actions requiring a consistency review conducted during the past year and Village actions and activities that will need to be undertaken during the following year.



The written findings and recommendations prepared by the Waterfront Coordinator for each local action proposed within the WRA and subject to the LWRP Consistency Review Law will be used by the Village government and departments, to take decision regarding the LWRP consistency and future implementation of that actions proposed.

The written findings prepared by the Waterfront Coordinator to be provided to State agencies and NYS DOS, to help state agencies make their determination of consistency, should be reviewed by the Village Board of Trustees before being shared with the State agencies.

Any board, department, office, or officer of the Village of Sylvan Beach, defined in the LWRP Consistency Review Law as agencies, must review its actions proposed within the WRA, except minor actions, for consistency with the approved LWRP policies and purposes, and make a determination of consistency, in writing. An agency review of the proposed action will be initiated by identifying if the action is subject to the consistency review process, which will be followed by the completion of a Waterfront Assessment Form. Prior to making a determination of consistency, each agency must consider the consistency recommendation of the Waterfront Coordinator. The agency's determination of consistency must be based on the content of the completed WAF, the Waterfront Coordinator's recommendation, and the requirements of other applicable local laws. No approval or decision shall be rendered for an action in the WRA without a determination of consistency.

The Village Board of Trustees is the government or legislative body that adopts the Sylvan Beach LWRP and will oversee all LWRP activities to ensure that proposed actions under the Village's jurisdiction and within the WRA are consistent with the policies of the LWRP.

The Sylvan Beach Planning Board has the authority to hear, review, and decide on applications for site plan review. Site plan review is the review of private projects. The Planning Board reviews site plans to assure that they meet the stated purposes and standards of the zoning district, provide for necessary public facilities, and protect and preserve topographical features and adjacent properties through the appropriate siting of structures and landscaping. The Planning Board also has authority to review and offer recommendations to the Village's Zoning Board of Appeals for the approval of special use permits and report recommendations with respect to any proposed change or amendment in the Zoning Code.

The Sylvan Beach Zoning Board of Appeals has the authority to hear and decide appeals from decisions or determinations made by the Code Enforcement Officer; approve or deny variances from the requirements of this Chapter; and hear, review, and decide applications for special use permit approvals. The Zoning Board of Appeals shall consider the written consistency recommendation of the Waterfront Coordinator in the event and at the time it makes a decision to grant a Zoning variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of the law.

GUIDELINES FOR NOTIFICATION AND REVIEW OF STATE AGENCY ACTIONS PROPOSED WITHIN THE WRA COVERED BY THE APPROVED SYLVAN BEACH LWRP

1. Purpose of Guidelines

A. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (the Act) (Article 42 of the Executive Law) and the Department of State's regulations (19 NYCRR Part 600) require certain state



agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of the approved Village of Sylvan Beach Local Waterfront Revitalization Program (LWRP). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.

B. The Act also requires that state agencies provide timely notice to the Village of Sylvan Beach whenever an identified action will occur within the WRA covered by the approved Sylvan Beach LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist the Village of Sylvan Beach in carrying out their review responsibilities in a timely manner.

C. The New York State Secretary of State is required by the Act to confer with state agencies when notified by the Village of Sylvan Beach government that a proposed state agency action may conflict with the policies and purposes of the approved Sylvan Beach LWRP. These guidelines establish a procedure for resolving such conflicts.

2. Definitions

A. Action means:

1. A "Type I" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);
2. Occurring within the boundaries of the approved Village of Sylvan Beach LWRP; and
3. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the Village of Sylvan Beach LWRP.

B. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of the approved Sylvan Beach LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of the approved Sylvan Beach LWRP, then the action must be one:

1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
3. That will result in an overriding regional or statewide public benefit.

C. Waterfront Assessment Form (WAF) is the form used by the State agency to assess the consistency of its actions proposed within the Village of Sylvan Beach Waterfront Revitalization Area with the policies and purposes of the approved Sylvan Beach LWRP.

D. EIS or Environmental Impact Statement means a form used by an agency to assist it in determining the environmental significance or non-significance of actions, pursuant to 6NYCRR 617 (SEQR)

E. Local Waterfront Revitalization Program, or Sylvan Beach LWRP, means the program prepared and adopted by the Village Board and approved by the Secretary of State pursuant to Executive Law,



Article 42; which program contains policies on the management of land, water, and man-made resources, proposed land uses and specific projects that are essential to program implementation.

F. Secretary of State or Secretary is the head of the New York State Department of State, which is the state agency responsible for administering and coordinating activities essential for the implementation of the Coastal Management Program, including approved LWRPs.

G. Waterfront Coordinator is the person designated by the Village of Sylvan Beach Village Board of Trustees to be responsible for preliminary review of proposed actions within the waterfront revitalization area for consistency with the approved Village of Sylvan Beach LWRP, consistency recommendations for the final determination of consistency that will be made by the Village, and for providing appropriate state agency contacts with the Village findings on the proposed State actions.

H. Village means the Village of Sylvan Beach

I. Village Board of Trustees is the government or legislative body of the Village of Sylvan Beach that adopted the Sylvan Beach LWRP.

J. Waterfront Revitalization Area or WRA is the portion of the state's waterfront area covered by the approved Sylvan Beach LWRP.

3. Notification Procedure

A. When a state agency is considering an action as described in II. DEFINITION within the boundary of the approved Sylvan Beach LWRP, the state agency shall notify the Waterfront Coordinator.

B. Notification of a proposed state agency action:

1. Shall fully describe the nature and location of the action;

2. Shall be accomplished by use of existing state agency notification procedures, or through any alternative procedure agreed upon by the state agency and the Village of Sylvan Beach government; and

3. Should be provided to the Waterfront Coordinator as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the action. The timely filing of a copy of a completed Waterfront Assessment Form (WAF) to the Waterfront Coordinator should be considered adequate notification of a proposed action.

C. If the proposed action will require the preparation of a draft environmental impact statement (EIS), the filing of this draft document with the Waterfront Coordinator can serve as the state agency's notification to the Village.

4. Local Government Review Procedure

A. Upon receipt of notification from a state agency, the Waterfront Coordinator will be responsible for evaluating the proposed state agency action against the policies and purposes of the approved Sylvan Beach LWRP. Upon request of the Village of Sylvan Beach Waterfront Coordinator, the state agency should promptly provide whatever additional information is available which will assist the Waterfront Coordinator to evaluate the proposed action.

B. If the Waterfront Coordinator cannot identify any conflicts between the proposed action and the applicable policies and purposes of the approved Sylvan Beach LWRP, the Waterfront Coordinator should notify in writing the state agency of the finding. Upon receipt of the written finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

C. If the Waterfront Coordinator does not notify the state agency in writing of the finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the approved Sylvan Beach LWRP.

D. If the Village of Sylvan Beach notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of the approved Sylvan Beach LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in section 5. Resolution of Conflicts below shall apply. The Village of Sylvan Beach shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the Waterfront Coordinator shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

5. Resolution of Conflicts

A. The following procedure applies whenever the Village of Sylvan Beach has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP.

1. Upon receipt of notification from the Village of Sylvan Beach that a proposed action conflicts with its approved LWRP, the state agency should contact the Waterfront Coordinator to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and Village of Sylvan Beach representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the Village.

2. If the discussion between the Village of Sylvan Beach and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the Village of Sylvan Beach Waterfront Coordinator shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. The State agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

3. If the consultation between the Village of Sylvan Beach and the state agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary of State within 15 days following the discussion between the Village of Sylvan Beach and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party

4. Within 30 days following the receipt of a request for assistance, the Secretary, or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and Village of Sylvan Beach.



5. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.
6. The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

FINANCIAL RESOURCES

Financial resources are necessary to implement the legal and administrative activities and the proposed projects that will further the policies and purposes of the Village of Sylvan Beach LWRP.

Resources necessary for the first two activities associated with the Village's efforts to oversee conformance and enforcement of the LWRP would come from general revenue sources and would be reflected in the Village's annual budget through Department staffing.

The Village recognizes that the implementation of most of the proposed projects identified in Section IV of the LWRP may include administrative costs, capital outlays, maintenance costs and, in some cases, property acquisition. Capital costs reflect the costs incurred by the Village to complete specific projects. The costs for the projects identified in Section IV are estimates and do not reflect detailed costs. A number of these projects will require significant capital expenditures. The Village will continue to pursue outside funding and, where appropriate, creative financing mechanisms for these and similar efforts.

Where applicable, the Village will work diligently to secure funding through grants that are available under State and Federal programs to support the implementation of LWRP projects. Most of these programs require matching funds and/or in-kind service contributions. The Village may also consider bond issues and other similar revenue enhancements to facilitate LWRP implementation.

Village of Sylvan Beach Funding Sources

Local government funding sources to implement the LWRP will primarily be from the Village's annual budget. The Village has a consistent policy of allocating funding from the municipal budget to assist in implementing programs aimed at improving the Village's appearance and economic viability, including tourism-related activities, as well as allocating force account services towards grant matches. It is anticipated that the implementation of most public projects identified in the LWRP will be a partnership and combine multiple funding sources.

Federal and State Funding

The Village will seek Federal and state funding to implement projects proposed in this LWRP. The Village will continue to pursue various state and federal grant and loan programs to fund and implement the recommended projects outlined in Section 4. The Village will continue its cooperation with the Canal Corporation and other State agencies to improve the use of canal waters and pursue regular dredging of the canal.

SECTION 6: STATE ACTIONS AND PROGRAMS WHICH SHOULD BE UNDERTAKEN IN A MANNER CONSISTENT WITH THE SYLVAN BEACH LWRP

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

Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions and programs is that list. The State Waterfront Revitalization of Coastal Areas and Inland Waterways Act requires that an LWRP identify those elements of the program which can be implemented the local government, unaided, and those that can only be implemented with the aid of other levels of government or other agencies. Such statement shall include those permit, license, certification, or approval programs; grant, loan, subsidy, or other funding assistance programs; facilities construction; and planning programs which may affect the achievement of the LWRP.

OFFICE FOR THE AGING

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

DEPARTMENT OF AGRICULTURE AND MARKETS

1.00 Agricultural Districts Program

2.00 Rural Development Program

3.00 Farm Worker Services Programs.

4.00 Permit and approval programs:

- 4.01 Custom Slaughters/Processor Permit
- 4.02 Processing Plant License
- 4.03 Refrigerated Warehouse and/or Locker Plant License



DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

1.00 Permit and Approval Programs:

- 1.01 Ball Park - Stadium License
- 1.02 Bottle Club License
- 1.03 Bottling Permits
- 1.04 Brewer's Licenses and Permits
- 1.05 Brewer's Retail Beer License
- 1.06 Catering Establishment Liquor License
- 1.07 Cider Producer's and Wholesaler's Licenses
- 1.08 Club Beer, Liquor, and Wine Licenses
- 1.09 Distiller's Licenses
- 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
- 1.11 Farm Winery and Winery Licenses
- 1.12 Hotel Beer, Wine, and Liquor Licenses
- 1.13 Industrial Alcohol Manufacturer's Permits
- 1.14 Liquor Store License
- 1.15 On-Premises Liquor Licenses
- 1.16 Plenary Permit (Miscellaneous-Annual)
- 1.17 Summer Beer and Liquor Licenses
- 1.18 Tavern/Restaurant and Restaurant Wine Licenses
- 1.19 Vessel Beer and Liquor Licenses
- 1.20 Warehouse Permit
- 1.21 Wine Store License
- 1.22 Winter Beer and Liquor Licenses
- 1.23 Wholesale Beer, Wine, and Liquor Licenses

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

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

2.00 Permit and approval programs:

- 2.01 Certificate of approval (Substance Abuse Services Program)

3.00 Permit and approval:

- 3.01 Letter Approval for Certificate of Need



3.02 Operating Certificate (Alcoholism Facility)

3.03 Operating Certificate (Community Residence)

3.04 Operating Certificate (Outpatient Facility)

3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

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

2.00 Architecture and environmental arts program.

CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY (CENTRO is a regional agency)

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

2.00 Facilities construction, rehabilitation, expansion, or demolition.

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

OFFICE OF CHILDREN AND FAMILY SERVICES

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

2.00 Homeless Housing and Assistance Program.

3.00 Permit and approval programs:

3.01 Certificate of Incorporation (Adult Residential Care Facilities)

3.02 Operating Certificate (Children's Services)

3.03 Operating Certificate (Enriched Housing Program)

3.04 Operating Certificate (Home for Adults)

3.05 Operating Certificate (Proprietary Home)

3.06 Operating Certificate (Public Home)

3.07 Operating Certificate (Special Care Home)

3.08 Permit to Operate a Day Care Center

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

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

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

1.00 Financing of higher education and health care facilities.

2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

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



2.00 Permit and approval programs:

2.01 Certification of Incorporation (Regents Charter)

2.02 Private Business School Registration

2.03 Private School License

2.04 Registered Manufacturer of Drugs and/or Devices

2.05 Registered Pharmacy Certificate

2.06 Registered Wholesale of Drugs and/or Devices

2.07 Registered Wholesaler-Re-packer of Drugs and/or Devices

2.08 Storekeeper's Certificate

OFFICE OF EMERGENCY MANAGEMENT

- hazard identification,
- loss prevention, planning, training, operational response to emergencies,
- technical support, and disaster recovery assistance.

EMPIRE STATE DEVELOPMENT/EMPIRE STATE DEVELOPMENT CORPORATION

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

2.00 Allocation of the state tax-free bonding reserve.

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

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

2.0 New Construction Program – provide assistance to incorporate energy-efficiency measures into the design, construction and operation of new and substantially renovated buildings.

3.0 Existing Facilities Program – offers incentives for a variety of energy projects

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.

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

4.00 Financial assistance/grant programs:

4.01 Capital projects for limiting air pollution

4.02 Cleanup of toxic waste dumps

4.03 Flood control, beach erosion and other water resource projects

4.04 Operating aid to municipal wastewater treatment facilities



4.05 Resource recovery and solid waste management capital projects

4.06 Wastewater treatment facilities

5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).

6.00 Implementation of the Environmental Quality Bond Act of 1972, including:

(a) Water Quality Improvement Projects

(b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.

7.00 Marine Finfish and Shellfish Programs.

8.00 New York Harbor Drift Removal Project.

9.00 Permit and approval programs:

Air Resources

9.01 Certificate of Approval for Air Pollution Episode Action Plan

9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility

9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System

9.04 Permit for Burial of Radioactive Material

9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer

9.06 Permit for Restricted Burning

9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

9.09 Certificate to Possess and Sell Hatchery Trout in New York State

9.10 Commercial Inland Fisheries Licenses

9.11 Fishing Preserve License

9.12 Fur Breeder's License

9.13 Game Dealer's License

9.14 Licenses to Breed Domestic Game Animals

9.15 License to Possess and Sell Live Game

9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)



9.17 Permit to Raise and Sell Trout

9.18 Private Bass Hatchery Permit

9.19 Shooting Preserve Licenses

9.20 Taxidermy License

9.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway

9.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances

9.23 Permit - Article 24, (Freshwater Wetlands)

Hazardous Substances

9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects

9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation

9.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)

9.28 Floating Object Permit

9.29 Marine Regatta Permit

9.30 Navigation Aid Permit

Marine Resources

9.31 Digger's Permit (Shellfish)

9.32 License of Menhaden Fishing Vessel

9.33 License for Non-Resident Food Fishing Vessel

9.34 Non-Resident Lobster Permit

9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits

9.36 Permits to Take Blue-Claw Crabs

9.37 Permit to Use Pond or Trap Net

9.38 Resident Commercial Lobster Permit

9.39 Shellfish Bed Permit

9.40 Shellfish Shipper's Permits

9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean

9.42 Permit - Article 25, (Tidal Wetlands)

Mineral Resources

9.43 Mining Permit



9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)

9.45 Underground Storage Permit (Gas)

9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

9.47 Permit to Construct and/or Operate a Solid Waste Management Facility

9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

9.49 Approval of Plans for Wastewater Disposal Systems

9.50 Certificate of Approval of Realty Subdivision Plans

9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)

9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan

9.53 Permit - Article 36, (Construction in Flood Hazard Areas)

9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas

9.55 State Pollutant Discharge Elimination System (SPDES) Permit

9.56 Approval - Drainage Improvement District

9.57 Approval - Water (Diversions for) Power

9.58 Approval of Well System and Permit to Operate

9.59 Permit - Article 15, (Protection of Water) - Dam

9.60 Permit - Article 15, Title 15 (Water Supply)

9.61 River Improvement District Approvals

9.62 River Regulatory District Approvals

9.63 Well Drilling Certificate of Registration

9.64 401 Water Quality Certification

10.00 Preparation and revision of Air Pollution State Implementation Plan.

11.00 Preparation and revision of Continuous Executive Program Plan.

12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.



ENVIRONMENTAL FACILITIES CORPORATION

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

DEPARTMENT OF FINANCIAL SERVICES (DEPARTMENT OF BANKING)

1.00 Permit and approval programs:

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



1.28 Authorization Certificate (Trust Company Charter)

1.29 Authorization Certificate (Trust Company Public Accommodations

1.30 Office) Authorization to Establish a Life Insurance Agency

1.31 License as a Licensed Lender

1.32 License for a Foreign Banking Corporation Branch

OFFICE OF GENERAL SERVICES

1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land underwater, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.

2.00 Administration of Article 4-B, Public Buildings Law, regarding the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.

3.00 Facilities construction, rehabilitation, expansion, or demolition.

4.00 Administration of Article 5, Section 233 of the Education Law regarding the removal of archaeological and paleontological objects under the waters of the State.

5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.

6.00 Section 334 of the NYS Real Property Law, regarding the subdivision of waterfront properties on navigable water to include the location of riparian lines.

DEPARTMENT OF HEALTH

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

2.00 Permit and approval programs:

2.01 Approval of Completed Works for Public Water Supply Improvements

2.02 Approval of Plans for Public Water Supply Improvements.

2.03 Certificate of Need (Health Related Facility - except Hospitals)

2.04 Certificate of Need (Hospitals)

2.05 Operating Certificate (Diagnostic and Treatment Center)

2.06 Operating Certificate (Health Related Facility)

2.07 Operating Certificate (Hospice)

2.08 Operating Certificate (Hospital)

2.09 Operating Certificate (Nursing Home)

2.10 Permit to Operate a Children's Overnight or Day Camp

2.11 Permit to Operate a Migrant Labor Camp

2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer



2.13 Permit to Operate a Service Food Establishment

2.14 Permit to Operate a Temporary Residence/Mass Gathering

2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach

2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions

2.17 Shared Health Facility Registration Certificate

DIVISION OF HOMES AND COMMUNITY RENEWAL (and its subsidiaries and affiliates)

1.00 Facilities construction, rehabilitation, expansion, or demolition.

2.00 Financial assistance/grant programs:

2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)

2.02 Housing Development Fund Programs

2.03 Neighborhood Preservation Companies Program

2.04 Public Housing Programs

2.05 Rural Initiatives Grant Program

2.06 Rural Preservation Companies Program

2.07 Rural Rental Assistance Program

2.08 Special Needs Demonstration Projects

2.09 Urban Initiatives Grant Program

2.10 Urban Renewal Programs

3.00 Preparation and implementation of plans to address housing and community renewal needs.

OFFICE OF MENTAL HEALTH

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

2.00 Permit and approval programs:

2.01 Operating Certificate (Community Residence)

2.02 Operating Certificate (Family Care Homes)

2.03 Operating Certificate (Inpatient Facility)

2.04 Operating Certificate (Outpatient Facility)

OFFICE FOR PEOPLE WITH DEVELOPMENT DISABILITIES

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

2.00 Permit and approval programs:

2.01 Establishment and Construction Prior Approval

2.02 Operating Certificate Community Residence



2.03 Outpatient Facility Operating Certificate

DIVISION OF MILITARY AND NAVAL AFFAIRS

1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

1.00 Funding program for natural heritage institutions.

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

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

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

3.00 Funding program for recreational boating, safety and enforcement.

4.00 Funding program for State and local historic preservation projects.

5.00 Land and Water Conservation Fund programs.

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

7.00 Permit and approval programs:

7.01 Floating Objects Permit

7.02 Marine Regatta Permit

7.03 Navigation Aide Permit

7.04 Posting of Signs Outside State Parks

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

9.00 Recreation services program.

10.00 Urban Cultural Parks Program.

11.00 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

NEW YORK POWER AUTHORITY
including the **Canal Corporation**

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

2.00 Facilities construction, rehabilitation, expansion, or demolition.

3.00 Permits for use of Canal System lands and waters.



4.00 Statewide Canal Recreationway Plan.

5.00 Direct and financial assistance related to improvements and enhancements to the State Canal System.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

1.00 Corporation for Innovation Development Program.

2.00 Center for Advanced Technology Program.

DEPARTMENT OF STATE

1.00 Appalachian Regional Development Program.

2.00 Coastal Management Program.

2.01 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

3.00 Community Services Block Grant Program.

4.00 Permit and approval programs:

4.01 Billiard Room License

4.02 Cemetery Operator

4.03 Uniform Fire Prevention and Building Code

DEPARTMENT OF TRANSPORTATION

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

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

(a) Highways and parkways

(b) Bridges on the State highways system

(c) Highway and parkway maintenance facilities

(d) Rail facilities

3.00 Financial assistance/grant programs:

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

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

3.03 Funding programs for rehabilitation and replacement of municipal bridges

3.04 Subsidies program for marginal branchlines abandoned by Conrail

3.05 Subsidies program for passenger rail service



4.00 Permits and approval programs:

4.01 Approval of applications for airport improvements (construction projects)

4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)

4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities

4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities

4.05 Certificate of Convenience and Necessity to Operate a Railroad

4.06 Highway Work Permits

4.07 License to Operate Major Petroleum Facilities

4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)

4.09 Real Property Division Permit for Use of State-Owned Property

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

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

DIVISION OF YOUTH

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

SECTION 7: LOCAL COMMITMENT AND CONSULTATION

LOCAL COMMITMENT

In 2016, the Village of Sylvan Beach resumed its efforts to prepare a Local Waterfront Revitalization Program and a Comprehensive Plan. At this point in time, the Village established a Planning Advisory Committee (PAC) to oversee and assist with the development of the LWRP and Comprehensive Plan. The Village Board and the Mayor have also been involved in the preparation of the LWRP during its development. The Tug Hill Commission provided substantial input regarding existing conditions and inventory for Section 2 of the LWRP.

The PAC worked with the consultant on the initial draft of the LWRP document. A public workshop was held on September 14, 2017.

Meetings and regular telephone and e-mail communication has been maintained throughout the preparation of the LWRP between the Mayor, the consultants, and the assigned NYS Department of State representative to assure that the LWRP document complies with the expectations and standards of the Department of State.

Citizen input was significant, though not formally researched outside of the public workshops and public hearing. The public contribution has demonstrated extensive citizen interest and commitment to both the LWRP and the Comprehensive Plan and to the numerous waterfront revitalization projects that have been proposed. The process provided an extensive list of identified issues and concerns, as well as proposed actions. These have been incorporated into this LWRP.

CONSULTATION

While developing the Sylvan Beach LWRP, the PAC forwarded draft sections of the revised program to the New York Department of State for their review and comments. In addition, draft documents were distributed to the Tug Hill Commission to gather their feedback and comments on programs, policies, and recommendations.

The draft LWRP was reviewed and accepted by the Sylvan Beach Village Board and forwarded to the New York Department of State. The Department of State initiates a 60-day review period for the draft program pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the State Environmental Quality Review Act. Comments received on the draft LWRP are reviewed by the Department of State and the Village, and changes are made to address the substantive comments. Thereafter, the final LWRP is adopted by the Village and presented to the New York State Secretary of State for approval.

APPENDIX A – LWRP CONSISTENCY REVIEW LAW AND WATERFRONT ASSESSMENT FORM

VILLAGE OF SYLVAN BEACH

Local Law # ___ of the Year 2020

Be it enacted by the Village Board of Trustees of the Village of Sylvan Beach as follows:

General Provisions

I. Title.

This law may be known as the Village of Sylvan Beach Local Waterfront Revitalization Program (LWRP) Consistency Review Law.

II. Authority and Purpose.

A. This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).

B. The purpose of this law is to provide a framework for the agencies of the Village of Sylvan Beach to incorporate the policies and purposes contained in the Village of Sylvan Beach Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions located within the waterfront revitalization area; and to assure that such actions and direct actions undertaken by Village agencies are consistent with the LWRP policies and purposes.

C. It is the intention of the Village of Sylvan Beach that the preservation, enhancement, and utilization of the unique waterfront revitalization area of the Village occur in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate growth. Accordingly, this law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing: degradation or loss of living waterfront resources and wildlife; diminution of open space areas or public access to the waterfront; disruption of natural waterfront processes; impairment of scenic or historical resources; losses due to flooding, erosion, and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.

D. The substantive provisions of this local law shall only apply while there is in existence a Village of Sylvan Beach Local Waterfront Revitalization Program that has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

III. Definitions.

A. "Actions" include all the following, except minor actions:

1. projects or physical activities, such as construction or any other activities that may affect natural, manmade, or other resources in the waterfront revitalization area, or the environment, by changing the use, appearance, or condition of any resource or structure, that:

   i. are directly undertaken by an agency; or

   ii. involve funding by an agency; or

   iii. require one or more new or modified approvals, permits, or review from an agency or agencies;

2. agency planning and policymaking activities that may affect the environment and commit the agency to a definite course of future decisions;

3. adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect waterfront resources or the environment; and

4. any combination of the above.

B. "Agency" means any board, agency, department, office, other body, or officer of the Village of Sylvan Beach.

C. "Code Enforcement Officer" means the Village staff enforcing the Village of Sylvan Beach Zoning Code.

D. "Consistent" means that the action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.

E. "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rulemaking, procedure making and policy making.

F. "Environment" means all conditions, circumstances, and influences surrounding and affecting the development of living organisms or other resources in the waterfront revitalization area.

G. "Environmental assessment form" or "EAF" means the form used by an agency to assist it in determining the environmental significance or non-significance of an action, pursuant to Article 8 of the Environmental Conservation Law (SEQR).

H. "Environmental impact statement "or "EIS" means a written draft of the final document prepared to provide a means for agencies, project sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation to an action, pursuant to Article 8 of the Environmental Conservation Law (SEQR).



I. "Local Waterfront Revitalization Program" or "LWRP" means the Village of Sylvan Beach Local Waterfront Revitalization Program approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of the Executive Law), a copy of which is on file in the Office of the Clerk of the Village of Sylvan Beach.

J. "Minor actions" include the following actions, which are not subject to review under this law:

(1) maintenance or repair involving no substantial changes in an existing structure or facility;

(2) replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas designated by local law where structures may not be replaced, rehabilitated or reconstructed without a permit, specifically; Village code Chapter 51, Flood Damage Prevention, 51-12 Floodplain Development Permit, where construction or development cannot take place without a permit;

(3) repaving of existing paved highways not involving the addition of new travel lanes;

(4) street openings and right of way openings for the purpose of repair or maintenance of existing utility facilities;

(5) maintenance of existing landscaping or natural growth;

(6) granting of individual setback and lot line variances, except in relation to a regulated natural feature (such as a State-regulated wetland);

(7) minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;

(8) installation of traffic control devices on existing streets, roads and highways;

(9) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;

(10) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;

(11) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);

(12) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;

(13) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation



of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;

(14) collective bargaining activities;

(15) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;

(16) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;

(17) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;

(18) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;

(19) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;

(20) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;

(21) adoption of a moratorium on land development or construction;

(22) interpreting an existing code, rule or regulation;

(23) designation of local landmarks or their inclusion within historic districts;

(24) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;

(25) local legislative decisions such as rezoning where the Village Board of Trustees determines the action will not be approved.

K. "Waterfront Assessment Form (WAF)" means the form, a sample of which is appended to this local law, used by an agency or other entity to assist in determining the consistency of an action with the Village of Sylvan Beach Local Waterfront Revitalization Program.

L. "Waterfront Coordinator" means the person responsible for overall management and coordination of the implementation of the LWRP as designated by the Village Board of Trustees, and as created pursuant to this law.



M. "Waterfront revitalization area" or "WRA" means that portion of New York State coastal or inland waters and adjacent upland as defined in Article 42 of the Executive Law which is located within the boundaries of the Village of Sylvan Beach, as shown on the coastal area map on file in the office of the Secretary of State and as described and mapped in the Village of Sylvan Beach Local Waterfront Revitalization Program (LWRP).

IV. Management and Coordination of the LWRP.

A. A Waterfront Coordinator is created for the Village of Sylvan Beach. The Waterfront Coordinator shall advise the Village Board of Trustees and other Village agencies, boards and departments on LWRP implementation and on policy, project and budget priorities, as well as on the need for preparing an amendment to the LWRP. The Waterfront Coordinator may also perform other functions regarding the waterfront revitalization area as the Village Board of Trustees may assign to it from time to time.

B. The Waterfront Coordinator shall be responsible for overall management and coordination of the LWRP. In performing this task, the Waterfront Coordinator shall:

(1) Inform the Village Board of Trustees on implementation, priorities, work assignments, timetables, and budgetary requirements of the LWRP.

(2) Make applications for funding from State, Federal, or other sources to finance projects under the LWRP.

(3) Coordinate and oversee liaison between Village agencies and departments, to further implementation of the LWRP.

(4) Prepare an annual report on progress achieved and problems encountered in implementing the LWRP and recommend actions necessary for further implementation to the appropriate Village Board of Trustees.

(5) Provide adequate and timely feedback to the New York State Department of State and other State agencies on the consistency of state and federal agencies actions proposed within the Sylvan Beach WRA. If no conflicts are identified between the proposed action and the applicable policies and purposes of the approved Sylvan Beach LWRP, written notification will be provided to the state agency. If conflicts are identified, then the specific policies and purposes of the LWRP with which the proposed action conflicts shall be sent to the Secretary of State at the time when the state agency is notified.

(6) Perform other functions regarding the waterfront revitalization area and direct such actions or projects as are necessary, or as the Village Board of Trustees may deem appropriate, to implement the LWRP.

C. In order to foster a strong relationship and maintain an active liaison among the agencies responsible for implementation of the LWRP, the Waterfront Coordinator shall schedule at least semi-annually an LWRP coordinating council/assembly, including but not limited to representatives of the Village Board of Trustees, Planning Board, Zoning Board of Appeals, and other departments or individuals charged with LWRP implementation.



V. Review of Actions.

A. Whenever an action is proposed within the waterfront revitalization area, the Village agency shall, prior to approving, funding or undertaking the action, make a determination that the action is consistent with the LWRP policy standards summarized in Section I below. No action in the waterfront revitalization area shall be approved, funded or undertaken by an agency without such a determination.

B. The Waterfront Coordinator shall be responsible for coordinating review of actions in the Village's waterfront revitalization area for consistency with the LWRP, and will advise, assist and make consistency recommendations for other Village agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative, and other actions included in the program. The Waterfront Coordinator will also coordinate with NYS Department of State regarding consistency review for actions by State or Federal agencies.

C. The Waterfront Coordinator will assist each agency with preliminary evaluation of actions in the waterfront revitalization area, and with preparation of a WAF. Whenever an agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the waterfront revitalization area, the agency shall refer, within 10 days of receipt, to the Waterfront Coordinator for preparation of a WAF, a sample of which is appended to this local law. The Waterfront Coordinator will coordinate their preliminary evaluation with permitting or other review by each agency or the agencies considering an action.

D. The Waterfront Coordinator shall require the applicant to submit all completed applications, EAFs, and any other information deemed necessary to its consistency recommendation. The Waterfront Coordinator shall render a written recommendation to the appropriate agency within thirty days following referral of the WAF, unless extended by mutual agreement of the Coordinator and the Applicant or, in the case of a direct action, the agency, or if further information is needed that has not been submitted. The recommendation shall indicate whether, in the opinion of the Waterfront Coordinator, the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and objectives and shall elaborate in writing the basis for its opinion. The Waterfront Coordinator shall, along with its consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards and objectives or to greater advance them.

E. If an action requires approval of more than one agency, decision making will be coordinated between agencies to determine which agency will conduct the final consistency review, and that agency will thereafter act as designated consistency review agency. Only one WAF per action will be prepared. If the agencies cannot agree, the Waterfront Coordinator shall designate the consistency review agency.

F. Upon recommendation of the Waterfront Coordinator, the agency shall consider whether the proposed action is consistent with the LWRP policy standards summarized in Section I herein. Prior to making its determination of consistency, the agency shall consider the



consistency recommendation of the Waterfront Coordinator. The agency shall render a written determination of consistency based on the WAF, the Waterfront Coordinator recommendation and such other information as is deemed necessary to its determination. No approval or decision shall be rendered for an action in the waterfront revitalization area without a determination of consistency. The designated agency will make the final determination of consistency.

The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Waterfront Coordinator in the event and at the time it makes a decision to grant such a variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of this law.

G. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies and standards and include a discussion of the effects of the proposed action on such policy standards. No agency may make a final decision on an action that has been the subject of a final EIS and is located in the waterfront revitalization area until the agency has made a written finding regarding the consistency of the action with the local policy standards referred to in Section I herein.

H. In the event the Waterfront Coordinator's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and explain the manner and extent to which the action is consistent with the LWRP policy standards.

I. Actions to be undertaken within the waterfront revitalization area shall be evaluated for consistency in accordance with the following summary of LWRP policies, which are derived from and further explained and described in the Village of Sylvan Beach LWRP, a copy of which is on file in the Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions shall also consult with Section IV-Proposed Land and Water Uses and Projects of the LWRP, in making their consistency determination. The action shall be consistent with the policies to:

(1) Revitalize, revitalize and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses (Policy 1).

(2) Retain develop and promote water-dependent uses and facilities on or adjacent to the waterfront (Policy 2).

(3) Strengthen economic base of small harbor areas by encouraging traditional uses and activities (Policy 4).

(4) Ensure that development occurs where adequate public infrastructure is available (Policy 5).

(5) Streamline development permit procedures (Policy 6).



(6) Protect, preserve and, where practical, restore significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, 8).

(7) Expand recreational use of fish and wildlife resources by increasing access to existing resources, supplementing existing stocks, and developing new resources. (Policy 9).

(8) Maintain, promote and expand commercial fishing opportunities (Policy 10).

(9) Minimize flooding and erosion hazards through non-structural means, protecting natural protective features, construction of carefully selected, long-term structural measures and appropriate siting of structures (Policies 11, 12, 13, 14, 16, and 17).

(10) Public funds shall be used for erosion protection structures only where necessary and in an appropriate manner (Policy 16).

(11) Safeguard economic, social and environmental interests in the waterfront revitalization area when major actions are undertaken (Policy 18).

(12) Maintain and improve public access to the shoreline and to water-related recreational facilities while protecting the environment and being compatible with adjoining uses (Policies 19 and 20).

(13) Encourage, facilitate and give priority to water-dependent and water-enhanced recreation (Policy 21).

(14) Encourage development, when located near the shore, to provide for water-related recreation where compatible (Policy 22).

(15) Protect and restore historic and archeological resources (Policy 23).

(16) Prevent impairment to, protect, restore or enhance scenic resources (Policies 24 and 25).

(17) Conserve and protect agricultural lands (Policy 26).

(18) Site and construct energy facilities in a manner which will be compatible with the environment and contingent upon the need for a waterfront or water location (Policies 27, 29, and 40).

(19) Undertake ice management practices in a manner that avoids adverse impacts on significant fish and wildlife and their habitats (Policy 28).

(20) Protect surface and groundwater from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, 32, 33, 34, 35, 36, 37, and 38).

(21) Ensure that dredging and dredge spoil disposal is undertaken in a manner protective of natural resources (Policies 15, 35).

(22) Ensure that any transportation, handling or disposal of hazardous wastes and effluent is undertaken in a manner which will not adversely affect the environment (Policies 8, 30, 36, 39).



(19) Protect air quality (Policies 41, 42, and 43).

(20) Preserve and protect tidal and freshwater wetlands (Policy 44).

J. If the agency determines that an action will be inconsistent with one or more LWRP policy standards or objectives, such action shall not be undertaken unless modified to be consistent with the LWRP policies.

K. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Waterfront Coordinator. Such files shall be made available for public inspection upon request.

VII. Enforcement.

In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Waterfront Coordinator shall inform the Code Enforcement Officer or any other authorized official of the Village, that a stop work order shall be issued and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

VIII. Violations.

A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this law shall have committed a violation, punishable by a fine not exceeding five hundred dollars ($500.00) for a conviction of a first offense and punishable by a fine of one thousand dollars ($1000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.

B. The Village Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

IX. Severability.

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

X. Effective Date.

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



Waterfront Assessment Form

A. INSTRUCTIONS

1. Applicants, or, in the case of direct actions, Village agencies shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the LWRP Consistency Review Law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.

2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the Village of Sylvan Beach Waterfront Revitalization Program (LWRP), a copy of which is on file in the offices of the Village Clerk. A proposed action should be evaluated as to its beneficial and adverse effects upon the coastal area and its consistency with the policy standards.

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

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1 Describe nature and extent of action:

_____

_____

_____

_____

_____

_____

2. Type of Village agency action (check appropriate response):

   a. Directly undertaken (e.g. construction, planning activity, agency regulation, land transaction)

_____

_____

_____



b. Financial assistance (e.g. grant, loan, subsidy)

_____

_____

c. Permit, approval, license, certification

_____

_____

d. Agency undertaking action:

_____

_____

_____

3. If an application for the proposed action has been filed with a Village, the following information shall be provided:

a. Name of applicant

_____

b. Mailing address:

_____

_____

c. Telephone number:

(_____)_____

d. Property tax number:

_____

e. Application number, if any:

_____

4. Will the action be directly undertaken, require funding, or approval by a State or federal agency? Yes _____ No _____

If yes, which State or federal agency? _____

_____

1. Location of action (Street or Site Description and nearest intersection):

_____

_____



6. Size of site (acres): _____

7. Amount (acres) of site to be disturbed:_____

8. Present land use: _____

9. Present zoning classification: _____

10. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): _____

_____

_____

_____

_____

11. Percentage of site that contains slopes of 15% or greater: _____

12. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name _____

(b) Size (in acres) _____

13. Is the property serviced by public water? Yes _____ No _____

14. Is the property serviced by public sewer? Yes _____ No _____

C. WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

		YES	NO
1.	Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront area (as identified in the LWRP)?	___	___
(a)	Significant fish or wildlife habitats?	___	___
		YES	NO
(b)	Scenic resources of local or State-wide significance?	___	___
(c)	Important agricultural lands?	___	___
(d)	Natural protective features in a coastal erosion hazard area	___	___
(e)	Designated State or federal freshwater wetlands	___	___
(f)	Commercial or recreational use of fish and wildlife resources?	___	___
(g)	Existing or potential public recreation opportunities?	___	___
(h)	Structures, sites or districts of historic, archaeological or cultural		



significance to the Village, State or nation? ___ ___

2. Will the proposed action involve or result in any of the following:

(a) Physical alteration of land along the shoreline, underwater
(b) land or surface waters? ___ ___

(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? ___ ___

(c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the waterfront area? ___ ___

(d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law? ___ ___

(e) Excavation, filling or dredging in surface waters? ___ ___

(f) Reduction of existing or potential public access to, or along, the shoreline? ___ ___

(g) Sale or change in use of publicly-owned lands located on the shoreline or underwater? ___ ___

(h) Development within a designated flood or erosion hazard area? ___ ___

(i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion? ___ ___

(j) Construction or reconstruction of erosion protective structures? ___ ___

(k) Diminished or degraded surface or groundwater quantity and/or quality? ___ ___

(l) Removal of ground cover from the site? ___ ___

3. PROJECT	YES	NO
(a) If a project is to be located adjacent to shore:		
(1) Does the project require a waterfront location?	___	___
(2) Will water-related recreation be provided?	___	___
(3) Will public access to the foreshore be provided?	___	___
(4) Will it eliminate or replace a water-dependent use?	___	___
(5) Will it eliminate or replace a recreational or maritime use or resource?	___	___
(b) Is the project site presently used by the community neighborhood as an open space or recreation area?	___	___
(c) Will the project protect, maintain and/or increase the level		



	And types or public access to water-related recreation Resources or facilities?	___	___
(d)	Does the project presently offer or include scenic views or Vistas that are known to be important to the community?	___	___
(e)	Is the project site presently used for commercial or recreational fishing or fish processing?	___	___
(f)	Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal?	___	___
(g)	Is the project located in a flood prone area?	___	___
(h)	Is the project located in an area of high coastal erosion?	___	___
(i)	Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	___	___
(j)	Do essential public services or facilities presently exist at or near the site?	___	___
(k)	Will the project involve surface or subsurface liquid waste disposal?	___	___
(l)	Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	___	___
(m)	Will the project involve shipment or storage of petroleum products?	___	___
		YES	NO
(n)	Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into coastal waters?	___	___
(o)	Will the project involve or change existing ice management practices?	___	___
(n)	Will the project alter drainage flow, patterns or surface water runoff on or from the site?	___	___
(p)	Will best management practices be utilized to control storm water runoff into coastal waters?	___	___
(q)	Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates?	___	___



D. **REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"** (Add any additional sheets necessary)

_____

_____

_____

_____

If you require assistance or further information in order to complete this form, please contact the Village of Sylvan Beach Clerk.

Please submit completed form, along with one copy of a site/sketch plan to:

Village of Sylvan Beach
808 Marina Dr
PO Box 508
Sylvan Beach NY 13157

Preparer's Name (Please print) :_____

Affiliation: _____

Telephone Number: (_____)_____

Date: _____

APPENDIX B – DESIGN AND CONSTRUCTION REQUIREMENTS FOR RESIDENTIAL /NON-COMMERCIAL DOCKS, DECKS, PLATFORMS AND BOAT LAUNCHES/RAMPS

New York State Canal Corporation

Design and Construction Requirements for Residential/Non-Commercial Docks, Decks, Platforms and Boat Launches/Ramps

Office of Real Property Management

TAP-923B (07/2011)

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I. INTRODUCTION

The purpose of the Design and Construction Requirements for Residential/Non-Commercial Docks, Decks, Platforms and Boat Launches/Ramps (TAP-9231B) (Requirements) is to provide specific, system-wide standards for docks, decks, platforms and boat launches/ramps on the Canal System.

These Requirements apply to residential/non-commercial docks, which can accommodate four or fewer boats, each of which shall not exceed 40 feet in length, with a maximum dock length of 100 feet.

Commercial and municipal docks will be considered on a case-by-case basis.

Docks on reservoirs and feeder canals will be considered by the Canal Corporation (Corporation) on a case-by-case basis.

Any work to install a new dock, extend an existing dock or replace an existing dock will require a separate Work Permit. Simple maintenance such as replacing dock boards, or in kind components of residential docks do not require a Work Permit.

Should construction on Corporation Property require digging or any type of excavation work, New York State law requires the Permittee to notify the *Dig Safely New York* program at 1-800-962-7962 so that buried facilities in the area of the proposed construction can be identified and marked. This notification must be at least two (2) full work days (not including the day of the call, weekends or holidays) but not more than ten (10) work days prior to the start of work. For more information on the *Dig Safely New York* program, go to www.digsafelynewyork.com.

II. CONSTRUCTION STANDARDS

A. GENERAL

As provided in TAP-923A, installations over, under, along and on Corporation Property shall conform to the requirements of the current New York State Department of Transportation Standard Specifications for Construction and Materials the current New York State Uniform Fire Prevention and Building Codes (19 NYCRR) and their referenced standards and the Americans with Disabilities Act. Additionally, such installations shall meet the following requirements:

1. One dock per Occupancy Permit is allowed. More than one dock shall be treated as a commercial dock installation.

2. Docks and decks shall not restrict access (e.g., for trails, maintenance or operations) across Corporation Property.

3. Docks and slips shall have their design approved by the Division Canal Engineer. A standard approved dock minimum offset is attached as Appendix A.

4. Docks shall be set back at least 10 feet from property lines of adjacent upland owners (i.e., owner of property adjacent to the permit area on the side away from the water). Extensions of property lines across Corporation property to the water shall be as determined by the Corporation.

5. Decks or platforms shall have a maximum area of 500 square feet. This limit may include the area of a connecting dock or walkway.

6. No new boathouses are permitted.

7. Covered slips may have a roof only – no sides are permitted.

8. All electrical and plumbing services to docks, slips and decks shall meet all applicable local, state and federal codes.

9. No enclosed storage shall be permitted on docks or decks.

10. Flotation devices for docks shall be foam blocks, pontoons or other material manufactured specifically for flotation. Metal barrels, drums, or other containers that are not specifically made for flotation are prohibited.

11. Retaining walls, when a part of a dock request, shall be constructed of stone, concrete blocks, poured concrete or other materials acceptable to the Corporation and in accordance with the current New York State Uniform Fire Prevention and Building Codes (19 NYCRR) and their referenced standards. Railroad ties, vehicle tires, creosote timbers, guide railing, and asphalt are not permitted.

12. Excavated slips, where permitted, shall be no larger than 1,000 square feet.

13. Excavated slips are not permitted where:

    a. The Canal is in a raised embankment section;

    b. An unstable or unsafe condition would be created; or

    c. The Division Canal Engineer determines that there is insufficient Canal Right-of-Way, or a future trail would be impeded.

14. Slips, cuts, etc., must be lined with stone bank protection, riprap, or other method for protection against erosion and wave action as approved by the Corporation.

15. No dock installation will be permitted which may impair the integrity of an embankment, which shall be determined by the Canal Division Engineer.

16. Protection of the dock and moored boats from passing boat wakes is the Permittee's responsibility. Boats shall not be moored on the outer (Canal) side of wake protection devices.

17. Vehicle tires shall not be used for mooring purposes.

18. No enclosed storage shall be allowed on boat launches/ramps.

19. No permanent structure or foundations shall be erected on the Permit Area.

20. Boat launches and ramps shall be set back at least 10 feet from property lines of adjacent upland owners. Extensions of property lines across Corporation property to the water shall be as determined by the Corporation.

B. NAVIGATION

No dock shall interfere with Canal navigation, by either physically impeding navigation or obstructing the vision of boaters traveling on the Canal System.

1. As illustrated by Appendix A, docks shall have a minimum offset from edge of navigation channel (bottom angle):

a. River section: 50 feet minimum offset.

b. Land cut section: 24 feet minimum offset (16 feet clear area plus 8 feet nominal boat width). Where a 24 feet offset is physically impossible, a dock with 4 feet maximum projection from the shoreline is allowable.

2. On curved sections of the Canal, the Corporation may require greater offsets than the offsets set forth in a. and b. above, to account for sight distance or vessel maneuverability considerations. The Division Canal Engineer may designate certain limited areas where docks are prohibited for navigation reasons.

3. Docks shall be parallel to shore in land cut areas.

4. Docks shall be at least 50 feet from Corporation navigation aids.

5. Docks and moored boats shall not hinder boaters' views of navigation aids or structures on the Canal System.

III. ENVIRONMENTAL REQUIREMENTS

In addition to the Environmental Law requirements detailed in TAP-922 Section III. L. and the Environment Requirements detailed in TAP-923A Section II B. , the following requirements must also be observed.

1. No creosote, pentachlorophenol or other hazardous materials shall be allowed. Only appropriate preservatives approved for use in a marine environment are permitted.

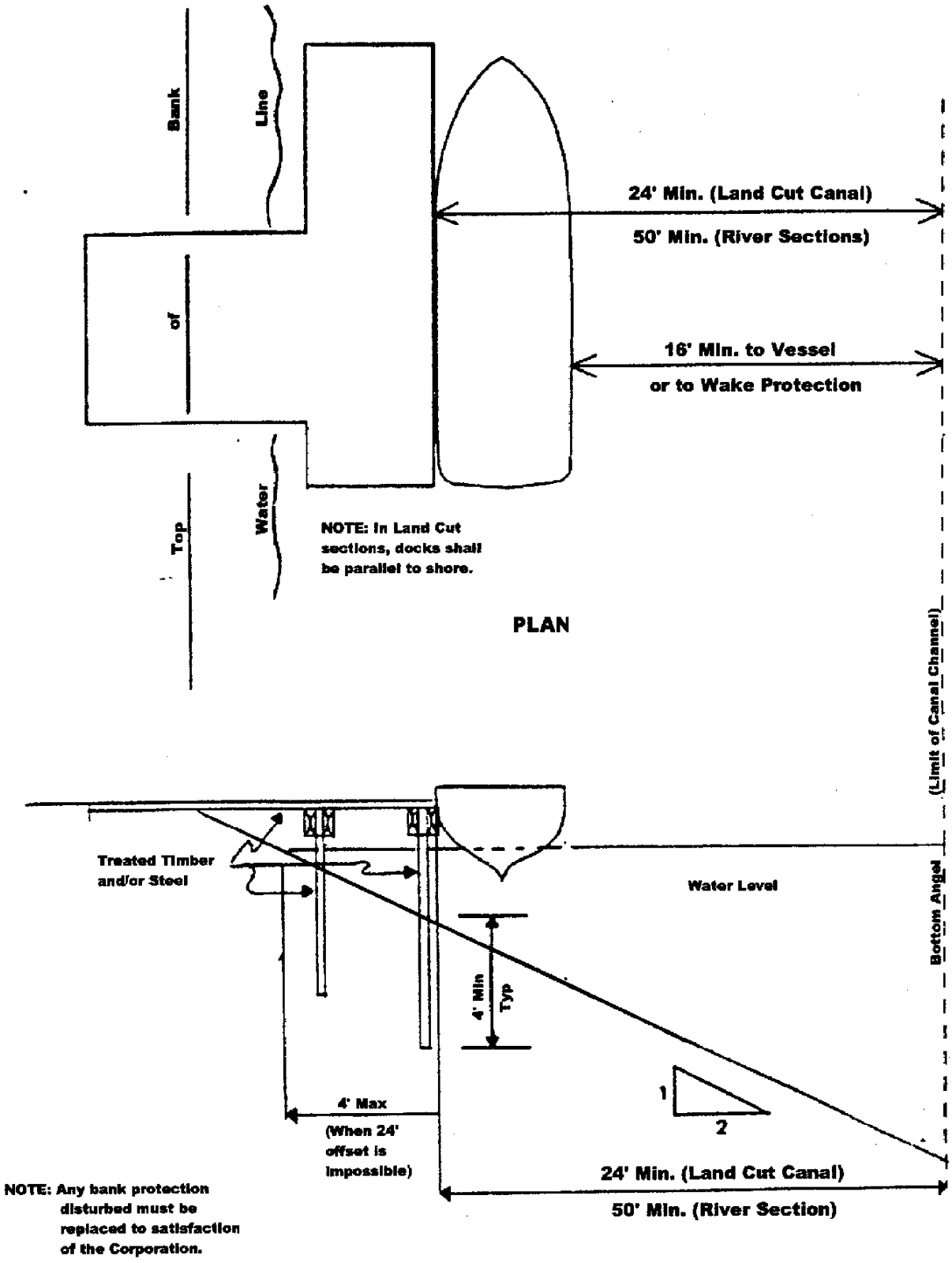
2. Slips or other excavations shall require a letter of no effect from the State Historic Preservation Office before permit issuance.

3. Slips or other excavations will require appropriate sampling and disposal of materials as directed by the Corporation.

4. Fills are prohibited within the limits of an established floodway, flowage easement or flood plain, unless mitigation measures approved by the Corporation and all other appropriate state and federal agencies are included.

IV. APPENDIX A

APPENDIX A - DOCK ALONG CANAL



NOTE: Any bank protection disturbed must be replaced to satisfaction of the Corporation.

APPENDIX C – VILLAGE INCORPORATION AND DESCRIPTION OF MUNICIPAL BOUNDARY

TUTHILL AND HAWKES
ATTORNEYS AT LAW

STEDMAN D. TUTHILL
CLARENCE E. HAWKES

March 16, 1971

70 MAIN STREET
CAMDEN, NEW YORK 13316
TELEPHONE 245-1360



CK 5.00

Hon. John P. Lomenzo
Secretary of State
162 Washington Avenue
Albany, New York 12225

Re: FORMATION OF NEW INCORPORATED VILLAGE TO BE KNOWN AS SYLVAN BEACH, in the Town of Vienna, Oneida County, New York

Dear Sir:

I submit herewith for filing in your office Report of Incorporation of the Village of Sylvan Beach with supporting documents attached as required by Section 3-332 of the Village Law.

The mail address of Mrs. M. Dorothea Kinney, Town Clerk of the Town of Vienna, is: North Bay, New York 13123.

Very truly yours,

Stedman D. Tuthill

Stedman D. Tuthill
Town Attorney

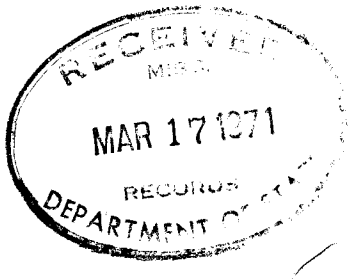
SDT/asf
Enclosure

TUTHILL AND HAWKES
ATTORNEYS AT LAW

STEDMAN D. TUTHILL
CLARENCE E. HAWKES

70 MAIN STREET
CAMDEN, NEW YORK 13316
TELEPHONE 245-1360

March 16, 1971



CK 5.00

Hon. John P. Lomenzo
Secretary of State
162 Washington Avenue
Albany, New York 12225

Re: FORMATION OF NEW INCORPORATED VILLAGE TO BE KNOWN AS SYLVAN BEACH, in the Town of Vienna, Oneida County, New York

Dear Sir:

I submit herewith for filing in your office Report of Incorporation of the Village of Sylvan Beach with supporting documents attached as required by Section 3-332 of the Village Law.

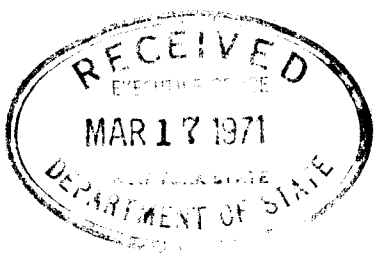
The mail address of Mrs. M. Dorothea Kinney, Town Clerk of the Town of Vienna, is: North Bay, New York 13123.

Very truly yours,

Stedman D. Tuthill

Stedman D. Tuthill
Town Attorney

SDT/asf
Enclosure



March 19, 1971

Tuthill and Hawkes, Esqs.
70 Main Street
Camden, New York 13316

Attn: Stedman D. Tuthill, Esq.

Re: Village of Sylvan Beach

Gentlemen:

In accordance with Section 3-334 of the Village Law, we are enclosing Certificate of Incorporation of the Village of Sylvan Beach, Town of Vienna, Oneida County, New York.

There is no fee charged for filing the papers of incorporation of a village. Your check of $5 is herewith returned.

Very truly yours,

JOHN P. LOMENZO
Secretary of State

By: Mrs. Sara E. Horner
Principal Clerk
Miscellaneous Records

SEH:jmr
Enclosures

cc: John J. Ghezzi

STATE OF NEW YORK
DEPARTMENT OF STATE } ss:

It is Hereby Certified, *That* in the matter of the incorporation of the Village of Sylvan Beach, Town of Vienna, Oneida County, New York there was filed in this office on March 17, 1971, pursuant to Article 3 of the Village Law:

1. A copy of the Certificate of Election certified by the inspectors of election.

2. A statement that the time to institute a proceeding to review said election has expired and that no such proceeding has been commenced.

3. An outline map and a metes and bounds description of the territory in said Village.

4. A statement of the population (699) of the territory as it appears in the petition for incorporation.

WITNESS *my hand and the official seal of the Department of State at the City of* Albany *, this* 19th *day of* March *one thousand nine hundred and* seventy-one.

John P. Lomenzo
Secretary of State

FORM AD-247

REPORT OF INCORPORATION OF VILLAGE OF SYLVAN BEACH, IN THE TOWN OF VIENNA, ONEIDA COUNTY, NEW YORK.

March 16, 1971
North Bay, New York

TO: Secretary of State
State Comptroller
State Board of Equalization & Assessment
County Clerk, County of Oneida
County Commissioner of Finance, County of Oneida

Gentlemen:

I, the undersigned Town Clerk of the Town of Vienna, County of Oneida, hereby report the incorporation of the Village of Sylvan Beach, in said Town, and I enclose herewith the following:

1. A copy of the certificate of election certified by the inspectors of election.

2. A statement that the time to institute a proceeding to review said election has expired and that no such proceeding has been commenced.

3. An outline map and a metes and bounds description of the territory in said village.

4. A statement of the population of the territory as it appears in the petition for incorporation.

Given under my hand and seal this 16th day of March, 1971.

M. Dorothea Kinney

M. Dorothea Kinney
Town Clerk of the Town of Vienna
County of Oneida
Mail address: North Bay, New York
13123

(Town Seal)

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
MAR 17 1971

CERTIFICATE OF ELECTION AND/OR

OFFICIAL RETURN OF VOTES CAST

TOWN OF VIENNA, Oneida County
Special Election to Determine Whether the
Proposed Village of Sylvan Beach, N. Y.
shall be incorporated.

Date of Election:
March 5, 1971

Total Number of Ballots Voted 240

Number of Propositions 1

Total Number of Votes to be Canvassed .. 240

The number of votes cast in favor of and against theproposition for the incorporation of the proposed Village of Sylvan Beach, N. Y., more particularly described in the notice of special election and the printed ballots was as follows:

In favor of the proposition 133

Against the proposition..... 105

Blank votes..... 0

Void votes..... 2

Total..... 240

The number of blank, void and protested ballots was: 2

The number of ballots which were taken from the ballot box by the Inspectors of Election as excess ballots and placed with the spoiled and mutilated ballots, was..... 0

STATE OF NEW YORK)
ss.:
County of Oneida)

The undersigned hereby certify, each for himself or herself, that the foregoing return of ballots cast at the Special Election held at the Town of Vienna Justice Court Building on Seventh Avenue in Sylvan Beach in said Town of Vienna on March 5, 1971, between the hours of 12:00 o'clock noon and 9:00 o'clock p.m., for the purpose of determining whether the proposed Village of Sylvan Beach, N. Y. shall be incorporated, is correct and that the tally sheets for such proposition to which the Inspectors of Election have affixed their initials, were clearly kept and filled out in accordance with the Election Law.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
MAR 17 1971
John P. Lomenzo
Secretary of State

Norma E. McCarthy
Carolyn T. McCarthy
M. Louise Kinney
Betty Budzynski
Inspectors of Election

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
MAR 17 1971
John P. Lomenzo
Secretary of State

STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF VIENNA

In the Matter of the Incorporation)
of)
THE VILLAGE OF SYLVAN BEACH, N. Y.)

Affidavit of Town Clerk Showing that Time to Review Election has Expired and no Proceeding has been Commenced, and also Showing Population of Territory.

STATE OF NEW YORK)
ss.:
County of Oneida)

M. Dorothea Kinney being duly sworn, deposes and says:

1. I reside at Yager Road, North Bay, in the Town of Vienna, Oneida County, New York, and I am the duly elected and qualified Town Clerk of said Town of Vienna.

2. A petition for the incorporation of the Village of Sylvan Beach was presented to the Supervisor of the Town of Vienna on November 12, 1970 and filed in my office; an election to determine whether the proposed Village of Sylvan Beach should be incorporated was duly called and held on March 5, 1971, and the proposition for the incorporation of said village was carried and approved by a majority of the valid votes cast at such election; a certificate of election or return of votes cast signed by all of the inspectors at said election was filed in my office on March 5, 1971, and a duplicate original thereof is attached hereto; all steps and proceedings required by Article 3 of the Village Law of the State of New York precedent to the holding of such election were duly taken and all proofs and other papers pertaining to the same are on file in my office.

3. More than ten days have elapsed since the filing of the original certificate of election or return of votes cast in my office; no proceeding to determine the validity or regularity of such election has been instituted and the time within which to commence such a proceeding has expired.

4. The population of the territory to be included within the bounds of the incorporated Village of Sylvan Beach as it appears in the petition for incorporation on file in my office is 699 persons.

M. Dorothea Kinney
M. Dorothea Kinney

Subscribed and sworn to before me
this 16th day of March, 1971.
Stedman D. Tuthill

STEDMAN D. TUTHILL
NOTARY PUBLIC IN THE STATE OF NEW YORK
RESIDENT OF ONEIDA COUNTY No. 33-4042000
MY COMMISSION EXPIRES MARCH 30, 19 71

STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF VIENNA

In the Matter of the Incorporation

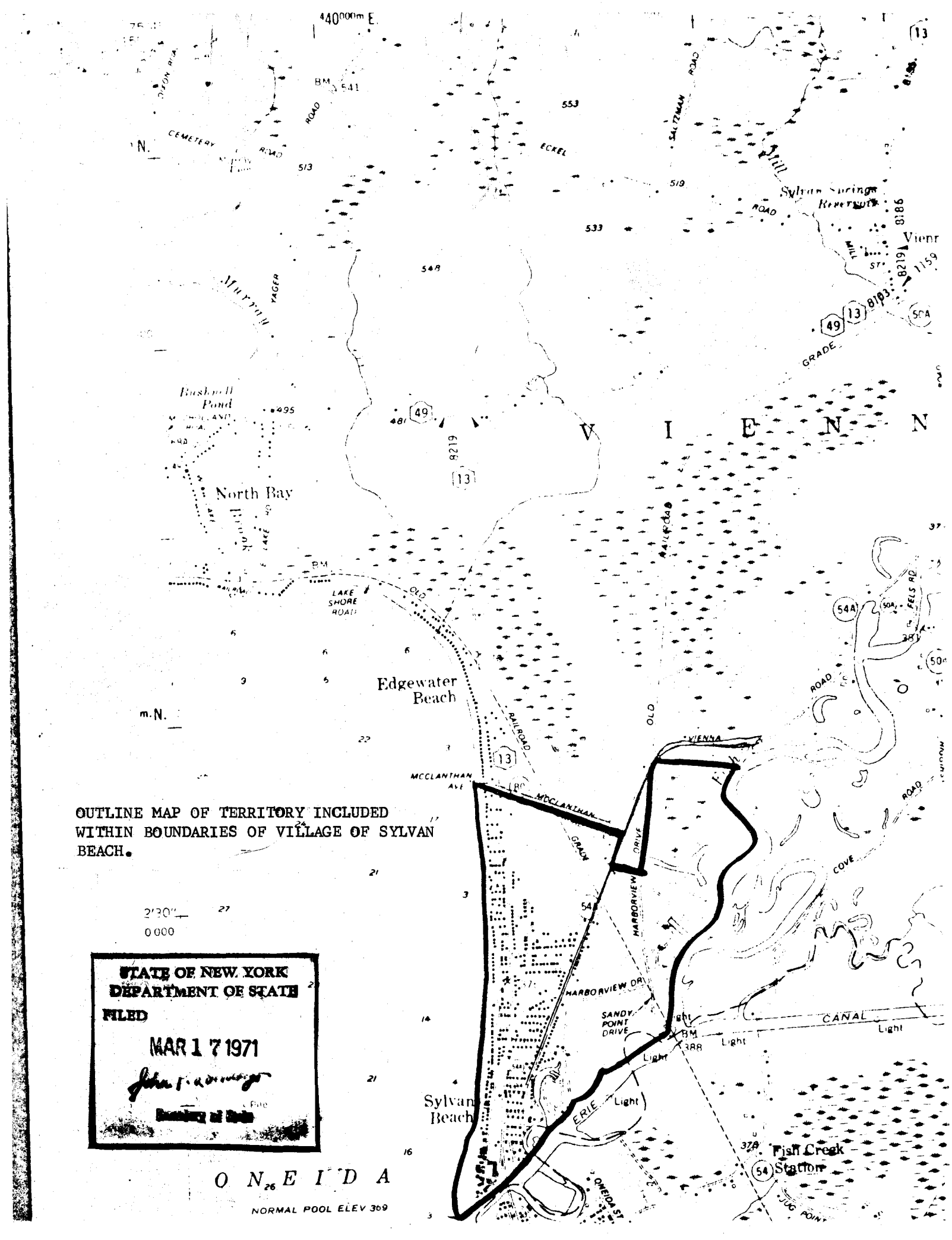
of

THE VILLAGE OF SYLVAN BEACH, N. Y.

REPORT OF INCORPORATION BY M. DOROTHEA KINNEY, TOWN CLERK.

TUTHILL AND HAWKES
ATTORNEYS AT LAW
70 MAIN STREET
CAMDEN, NEW YORK 13316
TELEPHONE 315-245-1360

The Tuttle Law Print, Publishers, Rutland, Vt.



OUTLINE MAP OF TERRITORY INCLUDED WITHIN BOUNDARIES OF VILLAGE OF SYLVAN BEACH.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
MAR 17 1971

[redacted] METES AND BOUNDS

The following described parcel of land is the area of Sylvan Beach, New York, Town of Vienna, County of Oneida, and State of New York to be incorporated and to be known as the Village of Sylvan Beach. Said described parcel contains less than 3 square miles of land.

BEGINNING at themost southwestward point of Sylvan Beach, N.Y. on the North bank of the New York State Barge Canal; also being the point where the said canal enters Oneida Lake, and running northerly along the east shoreline of Oneida Lake to a point where a westerly extention of the South line of McClanathan Avenue would intercept said line; thence easterly, along the south line of McClanathan Avenue to the easterly line of Vienna Road; thence southerly along the east line of Vienna Road to the north line of Marina Drive; thence easterly along the north line of Marina Drive to the west line of Harborview Drive; thence northerly along the west line of Harborview Drive to the east line of Vienna Road; thence northerly 400 feet more or less along the east line of Vienna Road to a line fence on theeast line of Vienna Road, said fence being the boundary line between the van der Linde property north line and now or formerly owned, Francis Garnsey property south line; thence south 42 degrees east along the said line fence to the west bank of Fish Creek; thence southerly along the west bank of Fish, as it twists and turns, to a point on the north bank of the New York State Barge Canal where Fish Creek enters into it; thence westerly along the north bank of the New York State Barge Canal to the point or place of beginning.

Foregoing is a metes and bounds description of the land to be included within the boundaries of the Village of Sylvan Beach.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
MAR 17 1971
John P. Lomenzo
Secretary of State

STATE OF NEW YORK
DEPARTMENT OF STATE } ss:

It is Hereby Certified, *That* in the matter of the incorporation of the Village of Sylvan Beach, Town of Vienna, Oneida County, New York there was filed in this office on March 17, 1971, pursuant to Article 3 of the Village Law:

1. A copy of the Certificate of Election certified by the inspectors of election.

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4. A statement of the population (699) of the territory as it appears in the petition for incorporation.

WITNESS *my hand and the official seal of the Department of State at the City of* Albany *, this* 19th *day of* March *one thousand nine hundred and* seventy-one.

John P. Lomenzo
Secretary of State

FORM AD-247

M. CAVANA, M. D.
MEDICAL OFFICER STATE DEPARTMENT OF HEALTH

MANAGER'S OFFICE
ONEIDA PRIVATE HOSPITAL
AND
TRAINING SCHOOL FOR NURSES
INCORPORATED.

[CAVANA SANITARIUM]

SYLVAN BEACH, N. Y., November 3, 1916

Hon. Francis M. Hugo,

Albany, N.Y.

Dear Sir:-

Replying to your favor of the 1st inst., I beg to report that the Court of Appeals in 1911, decided that the Legislature of the State of New York erred in granting to Sylvan Beach a municipal government similar to the various police districts that have been organized in the State, on the grounds that we were a village rather than a police district, notwithstanding the fact that when we were so organized, we did not possess the requisite number of inhabitants as required by law, to form a village.

Subsequent to this decision, Supreme Court Justice Hubbs of the city of Oswego, issued an order declaring the president and board of trustees in office when the decision of the Court of Appeals was made, yet de facto officers. The order also commanded the mentioned officers to levy and assess and collect the necessary amount of taxes to pay off the outstanding indebtedness of the former municipality. In 1915 the Legislature enacted a law requiring the officers of all defunct or extinct municipalities to levy, assess and collect sufficient taxes to meet the outstanding debts of such municipalities, existing at the time of their dissolution. This law was signed by Governor Whitman, is now in effect, and being tested as to its validity by the State courts.

The above is the exact status, and as to whether or not we are amenable to Section 350, of the Village law, you will be the better judge.

I have the honor to be, Sir,

Very respectfully yours,

MC/M.

M. Cavana

Copy

The University of the State of New York
The State Department of Education

Division of Archives and History
Alexander C. Flick, State Historian
Director

Public Records Section
Peter Nelson

April 20, 1925.

Mr Henk
Secretary of State's Office
Albany, N.Y.

My dear Mr Henk:

Corrections to the Legislative Manual
List of Villages

Long Beach	now a city
New London	has not functioned as an incorporated village for over forty years
Sylvan Beach →	The incorporation of this village in 1896 declared unconstitutional in 1896 declared unconstituionsl in 1911. No incorporation in 1919, and no incorporated village of this namw now exists.

Peter Nelson S

Not:- For original letter see Long Beach folder.

A. W. MILLER, CLERK
BOX 43
NORTH BAY, N. Y.

TOWN OF VIENNA
TOWN CLERK'S OFFICE

NORTH BAY, N. Y. Aug 4 1919

Hon. F.M. Hugo.
Secty of State
Albany N.Y.

Dear Sir.

I am enclosing herewith certificate of dissolution of the village of Jepson Beach requested by you some time ago

Yours truly
A.W. Miller
T.C.

August 6, 1919.

A. W. Miller, Esq.,

Village Clerk,

Box 43, North Bay, N.Y.

Dear Sir:-

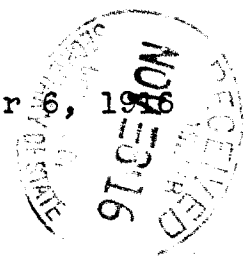
Receipt is acknowledged of your letter of the 4th inst., also certificate of dissolution of the village of Sylvan Beach.

Yours respectfully,

Secretary of State.

CDH.

OFFICE OF
CHARLES WENZEL
ONEIDA COUNTY CLERK
UTICA, N. Y.



November 6, 1916

Hon. Francis M. Hugo,

Secretary of State,

Albany, N. Y.

Dear Sir:

Replying to your letter of November 4 relative to the Village of Sylvan Beach, would say that there are no papers on file in this office dissolving such corporation. In an action filed June 6, 1912, entitled "In the Matter of the Petition of Sylvan Beach Electric Light and Power Company" the papers recite the following facts.

"On July 18, 1910 Thomas P. Bryant as police justice of the Area or Territory of Sylvan Beach issued a commitment against Nicholas Honyost and he was taken to the County Jail of Oneida County and delivered in the hands of the Sheriff to be kept in confinement for 6 months. July 27, 1910, Honyost obtained a writ of certiorari returnable August 1st, 1910, on which date the writ was dismissed with $12. costs against the relators. August 8th, 1910, an appeal was taken from that order to the Appelate Division 4th Department. The appeal was argued at the November term 1910, and on January 25, 1911. The Appelate Division affirmed the order appealed from and judgment was thereupon entered therein on February 3, 1911. On March 18, 1911 the relator appealed from the decision of the Appelate Division to the Court of Appeals. The appeal was argued June 1st, 1911, and decided Oct. 17, 1911. The order of the Special Term dismissing the writ and the judgment of the Appelate Division affirming that order were reversed on the ground that the legislative acts, chapter 812 of the laws of 1896, and chapter 316 of the laws of 1901, purporting to revise and consolidate previous acts and incorporating the Area or Territory known as Sylvan Beach, are unconstitutional and the commitment issued by the police justice claiming to hold his office under such acts was void. On the 14th day of December, 1911, judgment was entered in the Supreme Court of Oneida County, sustaining certiorari and discharging the relator from imprisonment. Notice of entry of Judgment was served upon E. J. Brown, the attorney for the Area or Territory of Sylvan Beach on the 16th day of December, In the year 1910 the legislature of the State of New York passed an act legalizing a bond issue of $6000 which the trustees of the Area or Territory of Sylvan Beach issued according to the vote of the inhabitants of the Territory, to pay the expenses of erecting and installing and electric light plant. This bill is known as chapter 80 of the laws of 1910. Your petitioner is informed and believes, that while the said decision of the Court of Appeals has decided in an action in which the Area or Territory of Sylvan Beach is not a party, that the

OFFICE OF
CHARLES WENZEL
ONEIDA COUNTY CLERK
UTICA, N. Y.

charter of Sylvan Beach is unconstitutional, there is no such decision

in which Sylvan Beach is a party, and that officers of Sylvan Beach are s still de facto, if not de jure officers of Sylvan Beach , and as such are entitled to notice of the presentation of this petition and to be heard in court. "

Very truly yours,

Clerk.

November 4, 1916.

Hon. Charles Wenzel,

County Clerk,

Utica, N. Y.

Dear Sir:-

Will you kindly inform us whether or not the Village of "Sylvan Beach" has been dissolved as an incorporated Village?

Yours respectfully,

Secretary of State.

CDH/CAC

November 1, 1916.

Mr. M. Cavana, Pres't.,
Board of Trustees,
Sylvan Beach, N. Y.

Dear Sir:-

Has the Village of Sylvan Beach been dissolved? If so, will you kindly have forwarded to us in compliance with Section 350 of the Village Law, a certificate to that effect.

A prompt reply will be appreciated.

Yours respectfully,

Secretary of State.

CDH/CAC

A. W. MILLER, CLERK
BOX 43
NORTH BAY, N. Y.

TOWN OF VIENNA
TOWN CLERK'S OFFICE

NORTH BAY, N. Y.

Certificate of dissolution of the Village of Lyman Beach.

We the undersigned members of the town board of the Town of Vienna, county of Oneida State of New York, do hereby certify that the Village of Lyman Beach was dissolved in the year 1912.

R. D. Hillock Supervisor.
A. W. Miller Town Clerk.

C. C. Phelps
Chas. E. Rand.
H. A. Jones.

Justices of Peace.

Dates
North Bay Twp.
August 4th 1919.

Dissolution
Village of Lyhaw
Beach

STATE OF NEW YORK
OFFICE OF SECRETARY OF STATE
FILED AUG -8 1919

SECRETARY OF STATE

Incorporated by Special Acts of the Legislature, Chapter 812, Laws of 1896, and Chapter 361, Laws of 1901.

An extensive Carnival Park for exhibitors and amusement enterprises.

A large Wooded Park for excursions and picnics. Adams and United States Express, Bell and Home Telephones, Western Union Cable Telegraph.

SYLVAN BEACH

LOCATED ON THE EAST SHORE OF ONEIDA LAKE

THE POPULAR COTTAGE, EXCURSION AND SUMMER WATERING RESORT OF CENTRAL NEW YORK

350 COTTAGES, 12 HOTELS, 2 RAILWAYS, 2 CHURCHES, ELECTRICITY AND AN UP-TO-DATE AMUSEMENT PARK.

On the Main Line of the Ontario & Western, with N. Y. Central and West Shore Connections at Oneida, and the Lehigh Valley R. R., with Connections at Canastota and Camden.

MUNICIPAL OFFICERS AND COMMITTEES

PRESIDENT—
DR. M. CAVANA

TRUSTEES—
A. B. FRENCH
J. S. JEWELL
F. CHISHOLM
WM. DUNN

CLERK—
E. J. BROWN

TREASURER—
A. B. FRENCH

HEALTH OFFICER—
J. S. JEWELL

ASSESSOR—
A. B. FRENCH

CORPORATION ATTORNEY—
E. J. BROWN

STREET COMMISSIONER—
WM. DUNN

COLLECTOR—
A. B. FRENCH

POLICE JUSTICE—
T. P. BRYANT

PARK COMMISSIONER—
DR. M. CAVANA

POSTMASTER—
CHAS. S. BELL

CHIEF OF FIRE DEPARTMENT—
F. CHISHOLM

BUS. MGR. CARNIVAL PARK—
M. CAVANA

P. O., SYLVAN BEACH, ONEIDA CO., N. Y.,

L. Vil. 191

To whom it may concern:

I hereb[illegible] that the [illegible] map of
the [illegible]ipality of Sylvan Beach is a true and correc[illegible]
[illegible]tation of this territory, and [illegible] more-
over [illegible]ts of this municipality are [illegible]ties allowed.

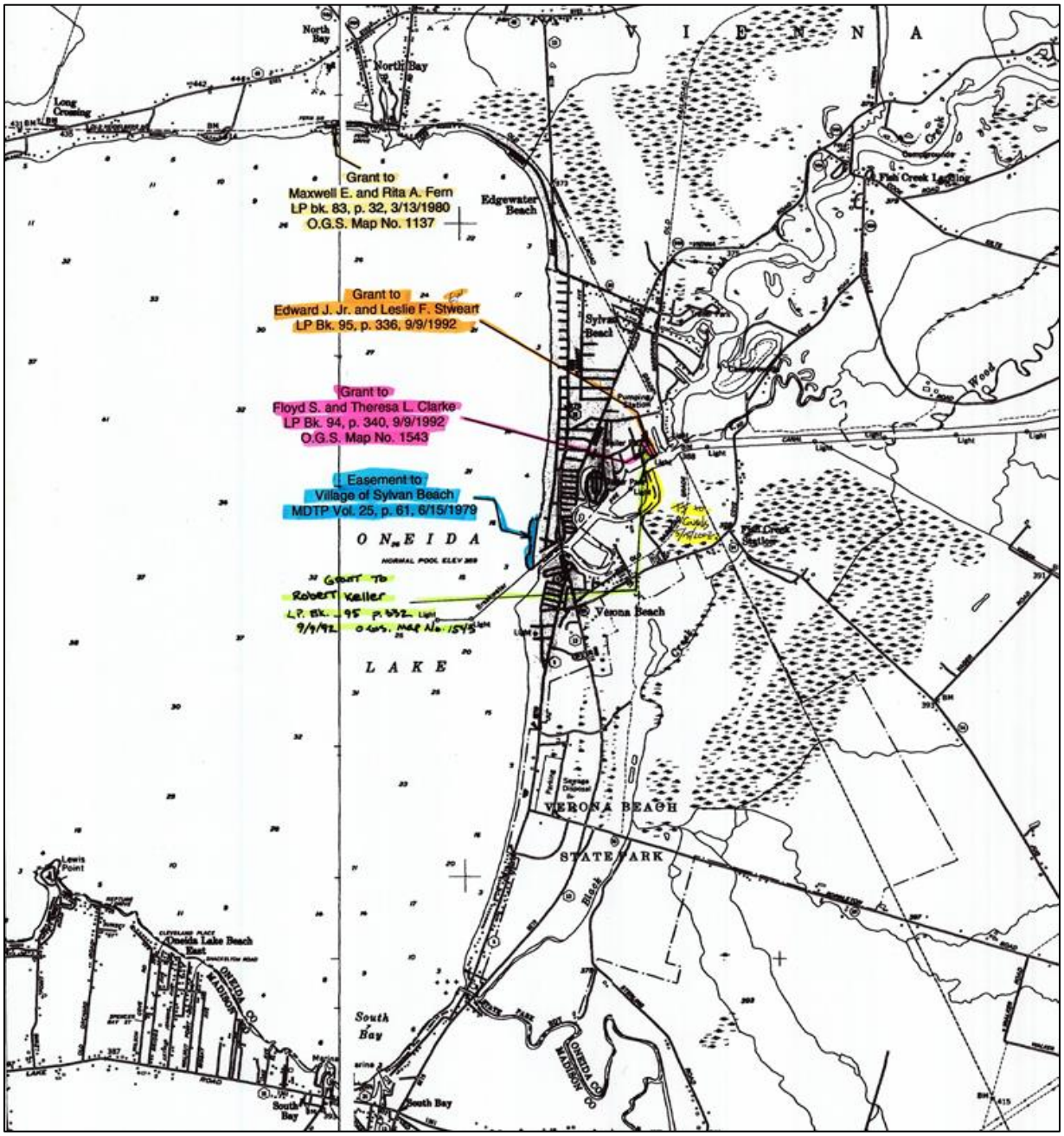
Beginning at the intersection of the New York,
[illegible] Railroad with the [illegible] and
[illegible] and running easterly one hundred [illegible] feet;
thence northerly [illegible] easterly
[illegible] miles; thence southerly [illegible] parallel
[illegible] to a point [illegible] directly
[illegible] of the center of the [illegible] canalized
[illegible] river; thence [illegible] center line of said barge
canal [illegible] to the [illegible].

M. Cavana.

[illegible] Trustees

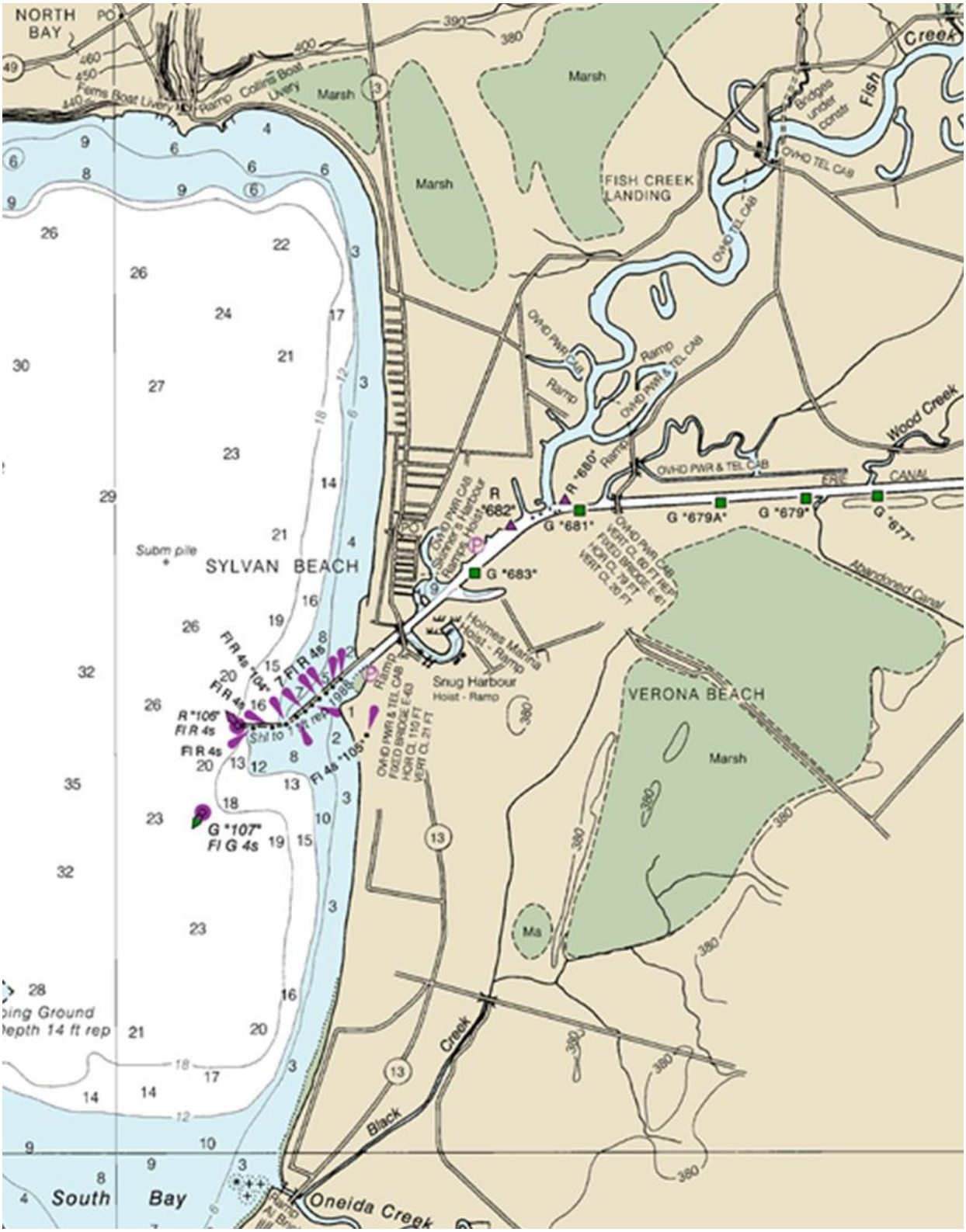
APPENDIX D – OTHER MAPS AND HISTORIC DOCUMENTS

ONEIDA COUNTY WATER GRANT INDEX MAP, EXCERPT





NOAA's Nautical Chart 14788, Excerpt





FLOOD INSURANCE RATE MAP (FIRM), PANEL 0503F, NUMBER 361042, 9/27/2013





EASEMENT FOR SYLVAN BEACH BATHING BEACH AND APPURTENANT FACILITIES

The People of the State of New York
TO

VILLAGE OF SYLVAN BEACH

EASEMENT

Recorded in the Department of State in Volume 25 *of Miscellaneous Deeds and Title Papers at Page* 61 *on* June 2, 1983

GAIL S. SHAFFER
Secretary of State

By Mrs. Lillian W. Countryman
Miscellaneous Records

Need New W.B.I.M. Vol. 25 P. 61
M.D.&T.P.

This Indenture *made this* 15th *day of* June *in the year One Thousand Nine Hundred* Seventy-Nine *, between* **The People of the State of New York** *acting by the* Deputy *Commissioner of General Services in the Executive Department, hereinafter referred to as the "grantor", and* the VILLAGE OF SYLVAN BEACH, a municipal corporation organized and existing under the laws of the State of New York, with its principal office at the Municipal Building, Sylvan Beach, New York

hereinafter referred to as the "grantee";

Witnesseth, *that the grantor, pursuant to Section 3, subdivision 2 of the Public Lands Law and Findings of the* Deputy *Commissioner of General Services dated* June 15, 1979 *and in consideration of the sum of* One Thousand Dollars ($1,000.00)

and upon the terms and conditions hereinafter expressed *lawful money of the United States of America, paid by the grantee, does hereby give and grant unto the grantee, the successors and assigns of the grantee, the right, privilege and easement for the construction and maintenance of* a bathing beach and appurtenant facilities

hereinafter referred to as the "structures and/or improvements", on the parcel of land under water hereinafter described.

ALL THAT TRACT OR PAPCEL OF LAND, now or formerly under the waters of Oneida Lake, situate in the Village of Sylvan Beach, Town of Vienna, County of Oneida and State of New York, being bounded and described as follows:

BEGINNING at a point in the northwesterly Right of Way of the New York State Improved Erie Barge Canal, said point being South 48° 20' 00" West, 214.22 feet from an iron pin (a replaced broken monument) set at right angles to Station 6941+01.57 of the Improved Erie Barge Canal Centerline and distant 170 feet northwesterly therefrom; thence through said canal lands South 20° 05' 00" East, 52.69 feet to a point in the extension of the northwesterly line of an existing concrete breakwater; thence South 48° 24' 50" West, 580.00 feet along the northwesterly side of said breakwater and extension thereof to a point, said point being 20 feet more or less distant southwesterly of the scour protection apron of a five foot wide stone sea wall; thence northerly along a line parallel with the line of said scour protection apron and 20 feet distant therefrom as it winds and turns a distance of 1415 feet, more or less, to a point in the prolongation of the northerly property line now or formerly of J. Donlon; thence along said prolongation South 83° 00' 18" East, 128 feet, more or less, to its intersection with a concrete curb; thence along said curb the following four (4) courses and distances:

(1) South 23°-48'-17" West, 5.94 feet;
(2) South 10°-58'-02" West, 500.10 feet;
(3) South 8°-42'-26" West, 226.18 feet; and
(4) South 3°-26'-47" East, 233.67 feet to a point in the northerly Right of Way line of the New York State Erie Barge Canal; thence along said Right of Way line North 89°-10'-00" East, 202.45 feet and North 48°-20'-00" East, 135.58 feet to the point and place of beginning.

Excepting and excluding therefrom those portions of New York State Improved Barge Canal Parcel Nos. 196 and 188, Contract No. 4, which are included within the lands aboved described.

Subject to EASEMENTS, RESTRICTIONS OF RECORD AND LANDS USED for Highway purposes, and lands excepted or reserved by the State of New York.

This grant of easement is for a term of 50 years from the date hereof and is made and accepted subject to the following covenants, terms and conditions:

1. The grantee shall be liable for and shall pay all damages that may arise or occur to the grantor and shall save the grantor harmless from all claims for damages in consequence of the improvements, maintenance, or use of the easement area or by reason of any work done or authorized by or under this grant of easement and, at the expense of the grantee, will defend all suits brought on account thereof.

2. The easement hereby granted shall not be assigned or transferred without the consent of the Commissioner of General Services and the Director of Waterways Maintenance of the State Department of Transportation.

3. The easement hereby granted is intended to affect only the right, title and interest of the grantor in the aforedescribed parcel of land.

4. This grant of easement shall not affect the title of the grantor to any lands underwater contiguous to the aforesaid improvements, and any additions to or accumulation thereon outside of the area of the easement granted shall be the property of the grantor and shall be considered for all purposes as land underwater.

5. Canal Parcels 196 and 188, as above set forth, are excepted from this easement. The use of said Canal parcels shall be only by special permit issued by the State Department of Transportation, Waterways Maintenance Subdivision.

6. The portion of the above described easement parcel included within the area between the northerly edge of the breakwater and a line extending from the point of beginning parallel to the breakwater is reserved for the use of the Department of Transportation and its agents for maintenance of the breakwater. No structures are to be placed in this area.

7. The Department of Transportation reserves the right to dump sand from the Barge Canal channel onto the area lakeward of the seawall.

The word "grantee" shall be construed as if read "grantees" whenever the sense of this indenture so requires. The word "successors" shall be construed as if read "heirs" whenever the sense of this indenture so requires.

All the covenants, terms and conditions in this indenture shall inure to the benefit of and be binding upon the executors, administrators, successors and assigns of the respective parties hereto, the same as if they were in every case named and expressed.

IN WITNESS WHEREOF, the grantor has caused this indenture to be executed and signed by the Deputy *Commissioner of General Services the day and year first above written.*

THE PEOPLE OF THE STATE OF NEW YORK

ROGER P. QUINBY, Deputy *Commissioner of General Services*

59

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

On this 15th day of June , 1979 , before me the subscriber personally came ROGER P. QUINBY to me known and known to me to be the Deputy Commissioner of General Services of the Office of General Services in the Executive Department of the State of New York, and known to me to be the same person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same as such Deputy Commissioner of General Services, for and on behalf of The People of the State of New York pursuant to the Statutes and Findings recited in the said instrument.

CHARLES E. FLANAGAN
Notary Public, State of New York
Qualified in Albany County
My Commission Ends March 30, 1981

Approved this 26th day of June, 1979

EDWARD V. REGAN
State Comptroller

By .....

L C-10 #751

Approved as to form this 20th day of June, 1979

ROBERT ABRAMS
Attorney General


By .....
Assistant Attorney General

GS 78-135 DES
IMK

The People of the State of New York
TO
VILLAGE OF SYLVAN BEACH

EASEMENT

Recorded in the Department of State in Volume 25 of Miscellaneous Deeds and Title Papers at Page 61 on June 2, 1983
GAIL S. SHAFFER
Secretary of State
By .....
Mrs. Lillian W. Countryman
Miscellaneous Records



Note: (1)

Land Areas of the below listed parcels.

Parcel # 1	from	Bernard Wameling	1.82 A±
-"- # 2A	-"-	West End Brewing Co.	1.52 A±
-"- # 2B	-"-	Archie D. Thomas	0.25 A±
-"- # 2C	-"-	J. Donlon	0.60 A±
-"- # 3	-"-	West End Brewing Co	0.87 A±
-"- # 4A	-"-	-"- -"- -"-	0.20 A±
-"- # 4B	-"-	Archie D. Thomas	0.10 A±
-"- # 5	-"-	J. Donlon	0.15 A±
		Total Area	4.46 A±

Note (2) Parcels 2A, 2B, 2C and Parcel 5 are proposed Rights-of-ways to be acquired by the Village of Sylvan Beach

References:

1) Abstract of Title from 12-23-1905 To 8-16-1976
2) Warranty Deed L. Saure To Bernard Wameling Rec: 5-25-1973 Book 1970 Page 161.
3) Warranty Deed L. Ernest Spencer To Fred B. Randall & Martin Carone Rec: 12-22-1905 Book 605 Page 122

Survey map of Land & loc. bldgs. by Snyder & Meyers Associates Inc. P.E. & L.S. Dated May 31 1973

Sewer Easements for the premises Recorded in June 16th 1921 Book 785 Page 379

References:

(1)	Bernard Wameling Property		603/122 1970/161 897/08
(2)	J. Donlon W/D	Rec. 12-23-1975	2019/127
(3)	A. D. Thomas W/D	Rec: 1-22-1963	1743/70
(4)	West End Brewing Co Q/C/D	5-2-1906	613/474
(5)	-"- -"-	-"- 1-19-1927	865/420
(6)	Abstract of Title	Ricker Property	
(7)	-"- -"-	Lamper Property	
(8)	Barge Canal Map # 51 Middle Division and #52	Erie Canal Sec. 5 STA. 6924 To 6950; Sec 5 " 6950 To 6975	

THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS IS AN ACCURATE MAP OF AN ACTUAL SURVEY COMPLETED 12-13-1977

SUBJECT TO ANY STATE OF FACTS AN ACCURATE AND UP TO DATE ABSTRACT OF TITLE WILL SHOW SINCE 8-16-76 DATED 12-13-1977

SIGNED: Peter P. Gursky

CENTRAL NEW YORK SOCIETY OF LAND SURVEYORS MEMBER

University of the State of New York ★ PETER P. GURSKY NO. 32413 LICENSED PROFESSIONAL ENGINEER & LAND SURVEYOR

FINAL PLAN
PARCELS OF LAND
PT. OF F. LOT 105
TOWNSHIP #9 SCRIBA'S PAT.
VILLAGE OF SYLVAN BEACH
TOWN OF VIENNA
ONEIDA CO., & STATE OF NEW YORK.

REVISIONS

D) To show additional underwater Easement Area acquired for The Project Rehabilitation and Improvement No 01-H-10500 4-25-1977 (12-13-1977)

C) To show minor changes in dimension and Parcels 5-3-1977

B) To show Parcels 1, 2A, 2B, 2C, 3, 4 and 5 2-18-1977

A) Plotting of Deeds and Search 8-12-1976

Peter P. Gursky
Civil Engineer & Land Surveyor
CLEVELAND, N.Y. 13042
TEL: 315-675-8111

DATE: August 2nd 1976

SCALE: 1" = 40'

PROJECT NO. [illegible]