

**NYS Department of State Monitoring of  
The Village of Athens  
Local Waterfront Revitalization Program  
2011-2012**

**Community Background**

The Village of Athens is located on the western shore of the Hudson River in Greene County. By the middle of the 19th century, Athens was a prosperous village and the home of the Hudson-Athens Ferry, which operated until the late 1940s. Its location attracted numerous individuals and industries to the area.

The Village adopted its Local Waterfront Revitalization Program (LWRP) in 1999. Although the waterfront area includes only a small section of the Village, it contains a wide variety of land uses and is densely developed. This includes older single-family homes, commercial and industrial uses, and the Hudson Athens Lighthouse which attracts tourists to the area. Most of the waterfront area lies within the Athens Lower Village Historic District located on the National Register of Historic Places. Over the years, the Village has also become an attractive location for residents of New York City looking for a weekend home.

**LWRP Monitoring Process**

The goal of the monitoring process is for the DOS to assess a community's consistency with its LWRP, and to understand implementation activities and decision-making procedures related to the LWRP. Secondly, this process provides a forum for a community to highlight successes and request technical and financial assistance. Participating in this process from the Village was Mayor Andrea Smallwood and John Franzen of the Village's Waterfront Advisory Committee.

**DIVISION OF COASTAL RESOURCES FINDINGS**

**LWRP Implementation and DOS Collaboration**

In partnership with the DOS, the Village has made great strides in implementing its LWRP and increasing the public's enjoyment and access to the Hudson River. The Village maintains a very good relationship with the Department of State, and appreciates the technical and financial assistance DOS has provided. The Village hopes its waterfront park, boater and commercial district improvements will attract visitors and increase economic development opportunities.

**Athens Ferry Slip and adjacent Village Riverfront Park**

In 1999 DOS provided a grant for the Village to prepare a feasibility study for the potential restoration of its historic ferry slip to accommodate boaters, including the potential for establishing a small tour boat operation. The study identified a number of potential environmental issues and permitting concerns that might arise if the slip was dredged for deep draft watercraft. As a result, dredging the slip was not pursued. The grant also provided funding to identify potential park amenities that could be provided at the adjacent Riverfront Park.

Subsequently, with technical and financial assistance from the DOS, as well as funding from other public and private sources, the Village has completed the rehabilitation of the Riverfront Park and ferry slip area, including shoreline stabilization, floating docks for boaters, waterfront promenade, and streetscape improvements along the adjacent central business district. With these improvements, the Village will continue to explore the opportunity to establish potential ferry service and boat tours between Athens and other Hudson River communities, including a weekend water taxi scheduled to begin in Spring 2012 between the Village and the City of Hudson.

#### 4<sup>th</sup> Street boat launch

The Fourth Street Site has been developed as a non-motorized kayak and boat launch area through a variety of State and private funding sources. With a DOS Eco-dock grant, the Village designed and constructed a dockage system that will enable non-motorized boaters to safely access the Hudson River during both high and low tide.

#### Middle Ground Flats

Also within the Village's waterfront is Middle Ground Flats, an island in the middle of the Hudson River, approximately two miles long and 1,200 feet wide and owned by New York State. It provides an excellent opportunity for recreational use and the Village hopes to be involved in the preparation of a management plan for the island if one is developed.

#### Proposed Zoning Changes

In 2007, the Village, as well as the Town of Athens, adopted a joint Comprehensive Plan. Accordingly, the Village anticipates amending their zoning law to advance the goals of the plan, as well as further implement the policies and purposes of its LWRP.

Highlights of the proposed zoning:

- changes the Industrial District to a new Mixed-Use Waterfront District to allow for more uses appropriate to the waterfront. Uses would be subject to Site Plan Review and design standards, to ensure new development is consistent with the character of the Village and its waterfront,
- the Waterfront District would allow, by special use, additional water-dependent uses such as a boat rental facility and ferry service. Siting and design standards would be established to protect views and the visual character of the Village, promote pedestrian access to the shoreline, and provide appropriate architectural scale, form and materials,
- a new historic overlay is proposed that includes creation of a historic review process by the planning board with historic district guidelines residential clustering and density bonus incentives would be added to protect open spaces and preserve natural and scenic qualities, and
- provisions would be added to protect steep slopes.

Prior to adoption, the Village will certify consistency of the changes with its LWRP.

### **LWRP Document Accessibility and Local Consistency Review Process**

The Village's LWRP is easily accessible, and is well known in the community. Local agencies and officials are aware of the LWRP and the consistency requirements associated with it. All members of Waterfront Advisory Committee (WAC) have a copy of the document.

The Village provides a link on its website to the DOS website where the Athens LWRP is available to be reviewed or downloaded. The Village's website also links to the DOS website for download of a Consistency Assessment Form (CAF).

The LWRP consistency process appears to work relatively well. The WAC reviews two or three projects a year. After referral by a Village agency, the WAC considers the CAF and related material and renders a written opinion as to whether the proposed action is consistent with the LWRP and elaborates the basis for its opinion. The Village agency then makes a determination of consistency based on the CAF, the WAC's recommendation, and any other information deemed necessary for its determination. Consistency determinations are then kept in the project's file.

The Village described how the WAC's opinion that a proposed off-site storage facility to be constructed near the waterfront would block important viewsheds and was therefore inconsistent with the LWRP, specifically LWRP policies 1, 4, 23 and 25. As a result, this project was not constructed as proposed.

The WAC also provides comments on potential projects and actions that may have an impact on the Village's waterfront. This includes providing comments on draft LWRPs of adjacent communities, and statewide projects such as the proposed Champlain Hudson Express project which involves a transmission line under the Hudson.

In 2005, the DOS objected to the federal consistency certification submitted by St. Lawrence Cement Company to construct a new cement manufacturing facility and related infrastructure in the City of Hudson located directly across the Hudson River from the Village. The Secretary of State's objection was based on the project's inconsistency with the State Coastal Management Program and the Village of Athens LWRP.

The Village expressed interest in how other communities administer the consistency process and asked the DOS to provide them with examples of local consistency laws. The Village also requested that DOS provide Local Consistency review training to help them refine the process, as well as clarify and strengthen the WAC's role in the process.

**Need for LWRP Amendment**

The Village should consider amending its LWRP to incorporate its Comprehensive Planning effort and proposed zoning, as well as identifying additional potential implementation projects given the great progress made in revitalizing its Riverfront Park and 4<sup>th</sup> Street boat launch area.

Updating and amending the LWRP is anticipated to be an eligible activity in the Department’s upcoming EPF funding rounds and the Village is encouraged to apply when funding availability is announced.

**DOS Environmental Protection Fund Grants Awarded to the Village of Athens**

<b>Year</b>	<b>Amount of Grant</b>	<b>Project Description</b>	<b>Status</b>
1994	\$ 13,250	Athens ferry slip feasibility study	Completed
1999	\$ 30,000	Waterfront park designs	Completed
2003	\$200,000	Construction of Waterfront Park improvements	Completed
2005	\$25,000	Planning and implementation for regional recreation and marketing for the Villages of Athens, Saugerties and Tivoli and the City of Hudson.	Closed – Decision made by Village not to pursue project
2009	\$22,500	Floating Docks at the Fourth Street Boat Launch	Completed