

Village of Nyack LWRP Monitoring Report June 2015

Community Background:

The Village of Nyack is located in Rockland County on the west side of the Hudson River. It is located approximately 19 miles north of Manhattan. The “Gateway” to the Village is defined as a break in the Palisades ridge accessed by the New York State Thruway and Route 59. The Village covers 0.8 square miles of land area and has 0.75 miles of shoreline on the Hudson River. As of the 2010 United States Census, the Village’s population was 6,765.

The principal public access point to the Village’s waterfront is Memorial Park, an 11-acre park on the Hudson River. The park features a fishing pier, basketball court, tennis courts, children’s playground, ball field, gazebo, and butterfly garden. The park is a popular spot for recreational activities including fishing, walking, launching canoes and kayaks, and picnicking. Nyack Brook, a tributary to the Hudson River flows through Memorial Park. Located adjacent to Memorial Park are the Village Marina and a public boat launch.



Memorial Park Fishing Pier

There are several residential developments on or near the Hudson River waterfront including Rivercrest, Clermont and West Shore Towers. The Main Street Pier, located on the Clermont property offers public access via easements to the waterfront.

Collaborations with Department of State:

Since the completion of its Local Waterfront Revitalization Program (LWRP) in 1992, the Village has worked to advance its implementation.

The Department of State (DOS) has awarded six (6) Environmental Protection Fund Local Waterfront Revitalization Program (EPF-LWRP) grants to the Village (See chart: Grants Awarded - Title 11 Environmental Protection Fund Local Waterfront Revitalization Program, Village of Nyack). The DOS and the Village’s partnership, which spans more than 20 years, resulted in the completion of several projects.

The Village completed design plans for improvements to Memorial Park, thereby providing a vision for the waterfront park. The conceptual plan depicts recreational facilities and public access improvements for the park. Proposed park enhancements include a pedestrian trail,

fishing pier and boat launch, commercial fishing facility, a relocated play field, and landscaping, lighting, signage and other park amenities.

With additional DOS funding, the Village prepared detailed construction documents and designs for the fishing pier at Memorial Park. Construction is underway with anticipated completion in summer 2015. The upgraded fishing pier will consist of the installation of wooden decking on the pier's surface, the replacement of rock boulders that currently surround the pier with railings and the addition of seating and viewing areas. A handicapped accessible ramp will lead from the adjacent parking area providing a direct connection to the pier.



Schematic Design for Memorial Park



Floating Dock System & Ramp

In 2011, the Village completed the design and construction of a ramp and floating dock system at Nyack Marina. The dock provides safe public access to the Hudson River for non-motorized boats including kayaks, canoes and rowing shells. A component of this project included the repair of the Nyack Marina seawall where the ramp was installed. This project resulted in improved public access to the Hudson River.

Additionally, the Village restored the degraded northern shoreline and streambed of Nyack Brook which empties into the Hudson River. Completed in 2002, project components included cleaning out and desilting the mouth of Nyack Brook, reconstructing the north wall bordering Memorial Park, and replanting vegetation along the brook.



Nyack Brook

The Village, in collaboration with the Hudson Fisheries Trust, Inc. completed a design for a proposed commercial fishing barge museum that would educate the public about the maritime history, traditions and folk arts of the Hudson River's commercial fishing industry.

LWRP Monitoring Process:

The goal of the monitoring process is for the Department of State - Office of Planning and Development (OPD) to assess a community's consistency with its LWRP and to understand implementation activities and decision-making procedures related to the LWRP. Additionally,

this process provides a forum for the community to highlight successes, and request technical and financial assistance for program implementation.

OPD began the Village of Nyack's LWRP monitoring process by sending a letter which described the process and a list of survey questions. Subsequently, OPD held a conference call and a site visit with the Village of Nyack. Three representatives of the Village including Mayor Jennifer White, Village Administrator James Politi and Village Planner Bob Galvin discussed the Village's responses to the survey questions and participated in the site visit, which was held in April of 2015. The tour provided DOS staff with an opportunity to see first-hand existing features within the Village's waterfront area. Along the tour, DOS Program and Consistency Staff also discussed potential opportunities and proposed projects within their waterfront area.

Office of Planning and Development Findings:

Overview

The *Village of Nyack Local Waterfront Revitalization Program (LWRP)* was prepared in order to guide development within the coastal areas in a way that protects and preserves natural resources, and enhances public enjoyment of the waterfront.

While the Village's LWRP dates back to 1992, recent planning efforts by the Village include an update to their Comprehensive Plan in 2007, the development of the Nyack Green Infrastructure Report in 2013 and the Sustainable Nyack Action Plan in 2015.

Overall, the Village has made great strides in implementing projects identified in the LWRP and increasing the public's enjoyment and access to the Hudson River. The Village has integrated their LWRP and recommendations for the waterfront into their 2007 Comprehensive Plan. Their comprehensive plan features recommendations for the waterfront, residential and downtown areas and the "Gateway". The key objectives identified within their comprehensive planning process for the waterfront area include:

- Protect views and improve connections between the waterfront and the rest of the Village, particularly downtown Nyack
- Enhance Memorial Park, with better lighting, security, access and amenities
- Provide additional waterfront parks and access opportunities
- Make Nyack more of a destination for low-impact boating and other water-oriented activities.

The Village recognizes the need to update its current land use plans and regulations to meet the future demands of growth and development. The Village is in the process of updating their 2007 Comprehensive Plan, which will integrate plans for new multi-modal transportation options including a commuter ferry operation and transit-oriented development, waterfront

development activity and provisions for sustainable neighborhood design. The Village also recognizes the need to update their LWRP.

LWRP Implementation

The implementation of the LWRP includes the following projects and actions:

- Designed and started construction on a new fishing pier at Memorial Park
- Removed abandoned barges from the Hudson River
- Redesigned Memorial Park to provide better pedestrian access and minimize motor vehicle impacts to the Park and enhanced recreational opportunities.



Abandoned Barge in Hudson River

- Developing designs for the construction of planned streetscape and bicycle improvements along North and South Broadway. The improvements will consist of a network of concrete sidewalks, curbing, handicapped ramps to the sidewalks, pavers to create delineated crosswalks, streetscape amenities, to include benches, street trees, lighting, bicycle racks and bus shelters.
- Updated Zoning Law; revised zoning code in 2010. The waterfront district (WF) was revised to include new elements regarding Floor Area Ratio (FAR), height, and public access. As part of the Village's Green Infrastructure Roundtables, incentive zoning was adopted to encourage sustainable initiatives such as green roofs, energy efficiency, permeable paving, daylighting Nyack Brook, LEED certification, reuse of materials, brownfield remediation, rain gardens, bioretention in parking areas, and water harvesting techniques. Incentive zoning has been adopted in the Corridor Commercial (CC) and Waterfront districts.
- Strengthened their stormwater law entitled "Stormwater Management" in 2007. The legislation incorporates zero net increase language.
- Secured grant funding from other state agencies including New York State Energy, Research and Development Authority, NYS Department of Environmental Conservation Hudson River Estuary Program, NYS Office of Parks, Recreation and Historic Preservation, NYS Department of Transportation, NYS Bridge Authority and NYS Dormitory Authority.

LWRP Document Accessibility

The Village's LWRP is available at the Village Hall in both the Village Clerk's office and Planning and Building Department. An electronic copy is available on the Village's website and the Department of State's web site at the following links:

<http://nyack-ny.gov/document/1992-local-waterfront-revitalization-program/> and

http://docs.dos.ny.gov/communitieswaterfronts/LWRP/Nyack_V/Index.html

Local Consistency Review

The Village Code, which details waterfront regulations and reviews required by the NYS Department of State, is referred to in all decisions, rulings, opinions regarding waterfront property and issues relating to the waterfront. The Village's Waterfront Consistency Review Law (Chapter 342) within the Village Code offers the Village relatively robust powers to evaluate a wide range of proposed private developments and public actions and issue recommendations of consistency.

The Village Board, with the advice and assistance of the Planning Board, is the lead agency for SEQRA review and is also responsible for the LWRP consistency review. The Village Board is responsible for the determination of LWRP consistency for all land use applications which are equal to or greater than 3 acres in size. Additionally, the Village Board is responsible for SEQRA review and LWRP consistency review for all zoning map and text changes, applicable public policy decisions and public projects.

In most cases, the Village Planning Board is lead agency on land use applications. The Village Planner serves as the LWRP administrator in consultation with the Village Attorney. The Village Planner staffs the Planning Board at all meetings and coordinates their role when they are lead agency in both the SEQRA process as well as the determination of LWRP consistency for applicable land use decisions. The Village Planner provides recommendations on the applicable LWRP policies, explains the issues involved in the review of specific policies and obtains additional environmental review as necessary. The Coastal Assessment Form (CAF) is also reviewed by the Village Planner, Planning Board or lead agency for all unlisted and Type 1 actions. Per the Waterfront Consistency Review Law, all Type II SEQRA actions are considered to be consistent with the Village's LWRP policies.

The Building Department includes the Coastal Assessment Form (CAF) and Short Form Environmental Assessment Form (EAF) with their application packages provided to applicants before the land use boards. The CAF is also available on the Village's website. The documents are completed by the applicant at the application stage, reviewed as needed by the Village

Planner and then by the lead agency (typically the Planning Board) if such proposed action is either a Type I or Unlisted Action.

Grants Awarded			
Title 11 Environmental Protection Fund Local Waterfront Revitalization Program			
Village of Nyack			
Year	Amount of Grant	Project Description	Status
2009	\$150,000	#C007097: The Village of Nyack will design and construct a ramp and dock at the Nyack Marina to create safe public access to the Hudson River for non-motorized boats. Project work will also include repair of a portion of the marina seawall to provide a solid base for the launch site, demolition of an existing dilapidated dock, and installation of a marina gate and safety fencing.	Closed
2005	\$150,000	#C006641: The Village of Nyack proposes to design and construct 170 feet of riprap and a new, 50-foot fishing pier in the southeastern corner of Memorial Park on the Hudson River. Installation of these amenities will complete the Village's park rehabilitation efforts, improving public access and safety by removing debris and repairing the rotting barge currently at this location. This will further work developed under a previous EPF award.	Open
2000	\$95,000	#C006204: The Village will engage the Hudson Fisheries Trust, Inc. to conduct the design and engineering phase of a Hudson River Commercial Fishing Barge Museum. With its home port in Nyack, the museum will travel among the river towns.	Closed
1997	\$42,500	#C005844: This project would restore the degraded northern shoreline and streambed of Nyack Creek. Project components will include cleaning out and desilting the mouth of Nyack Creek, reconstruction of the north wall bordering Memorial Park, a parking lot at the park, removal of derelict barges adjacent to the park, and replanting of vegetation along Nyack Creek.	Closed
1996	\$22,000	#C005792: This grant will be used for the preparation of an environmental improvement plan for the Powell Boat Yard site, an abandoned and deteriorated former industrial "brownfields" site along the Village's Hudson River waterfront. The project also addresses restoration of adjacent wetlands.	Closed
1995	\$49,400	# C005657: The project involves completing the detailed design plans and specifications for proposed improvements to Memorial Park. The project	Closed

Grants Awarded

Title 11 Environmental Protection Fund Local Waterfront Revitalization Program

Village of Nyack

Year	Amount of Grant	Project Description	Status
		will improve the Village's capacity to provide a variety of recreational facilities, enhance public access, and assist in enabling commercial fishing opportunities to continue. Proposed park enhancements include a pedestrian trail, fishing pier and boat launch, commercial fishing facility, re-siting of the play field, and landscaping, lighting, signage and other park amenities. The project will also study the environmental impact of constructing a dike in the small tidal inlet located to the north of the park. Additionally, the project will consider the scope of work necessary for the removal of derelict barges and dilapidated piers.	